

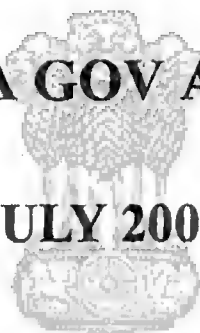


सत्यमेव जयते

# **REPORT OF THE NATIONAL COMMISSION ON CATTLE**

**(RASHTRIYA GOV ANSH AYOOG)**

**JULY 2002**



सत्यमेव जयते

## **VOLUME I**

**DEPARTMENT OF ANIMAL HUSBANDRY & DAIRYING  
MINISTRY OF AGRICULTURE  
GOVERNMENT OF INDIA**

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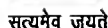
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**(RASHTRIYA GOV ANSH AYOOG)**

# JULY 2002

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## PREFACE

**Param Pujaniya Atalji,**

Sub-Group VII (on Cattle and Buffaloes) of the Working Group on Animal Husbandry and Dairying, which was set up by the Planning Commission for the Tenth Five Year Plan proposals, had during discussions at one of the meetings of the Working Group, observed that "no breeding programme would succeed in this country, unless it was tied up with removal of the inferior genotypes from the population". Quoting Dr. Bhattacharya from the National Commission on Agriculture, the Chairman of the Working Group observed that the most humane way of removal is through slaughter. Dr. S.K.Ranjan opined that the ban on cow slaughter should be removed from the States where it was in vogue. It was also observed that the Meat Industry in India should be allowed to grow as a major export thrust increasing the productivity of cow by removing the surplus poor quality animals from the population.

Another Sub-Group of the same Working Group, Group XI on Meat Sector, has recommended the establishment of Rural Based Abattoirs in animal tracts. This would, no doubt, result in every small village of Gandhi Gram Swaraj concept, greeting visitors with two sign boards – one "Sasta Sarkari Sharab ki Dukan" and the other "Sasta Sarkari Mans Murga Mussalam and Gomans Ki Dukan".

In spite of the above Himalayan hurdles, I am very grateful to the Hon'ble Prime Minister for feeling greatly concerned about the widespread and persistent demand for protection and preservation of cow and its progeny, as well as about the precious health of His Holiness Jagadguru Sankaracharyaji of Kancheepuram, who, deeply moved by the tragic plight of sacred cows, the slaughter of thousands having been observed by him during his Kerala visit, announced a fast unto death, unless something was done by the Government to save the cow. As the "D" day of 5<sup>th</sup> August 2001, the birth day of Swamiji from which he was to commence the fast drew near, the Government established the Commission on 2<sup>nd</sup> August, 2001 and honoured the understanding.

The 17 Member Commission was headed by Shri Dharampal, Gandhian and Historian from Sevagram, who on account of various reasons, asked me, the Vice Chairman to discharge the day-to-day responsibilities of the Chairman, during his absence from Delhi and to function as Acting Chairman, which responsibility I gladly accepted.

A dedicated team of committed social workers, including the former Chief Justice Ranganath Mishra, Shri Bhawarlal Kothari, Shri Kesarichand Mehta, Shri Sunil B. Mansinghka, Shri K.L. Godha, all Conveners of the five sub-Committees set up by the Commission, as well as other stalwarts in the areas of cow-protection such as, Shri Hukum Chand Sawla, Shri Manchand Gunde Rao, Shri Master Munshi Singh, Shri P. Haridas, Shri Udai Bhaskar Nair, Smt. Gohar Aziz and H.H. Jagadguru Sri Sri Balagangadharanatha Mahaswamiji have helped tremendously in the preparation of the Report of the Commission. It is noted with a profound sense of satisfaction that we have been successful in keeping as sacrosanct, the 1 year period of tenure of the Commission and have prepared the Report within a record time, as we were determined not to seek or accept any extension.

The Commission has taken full advantage of the experience, knowledge, study and above all, brilliant approach with mature thinking of the above Members, who are all dedicated cow worshippers. They have, in turn, also utilized the services of consultants in the different disciplines and subject areas of our terms of reference.

This Report is a joint venture and result of the thinking and decisions taken after a hectic but elaborate and extensive tour of all the States and interacting with people in public hearings. We have examined Govt. officers, records and examined them also in all State capitals. In addition, the replies to the questionnaires, widely issued on subjects concerning the terms of reference, have provided valuable data and views of a cross-section of members of the public as well as Government officers. We have benefited from a reading of the various reports of earlier Expert Committees, including the ones headed by Sardar Datar Singh and Shri Nanda respectively, as well as other committees on the various aspects of cow preservation, protection, development and slaughter and several Gosamvardhan Committees and Commissions of Government including the one headed by Shriman Narayan.

The non-availability of the report of the most important Committee has deprived us of valuable guidance. The said Committee was appointed on 29.6.1967 and had as Members, several stalwarts and renowned Saints, including Jagadguru Sri Shankaracharya Swami Niranjandev Teerth of Puri, R.S.S Chief Guruji Shri M.S. Golwalkar, Shri Charan Singh, Shri D.P. Mishra (both Chief Ministers), Shri Rama Prasad Mukherji, ex- Judge and the Animal Husbandry and Agriculture Ministers of almost all the States, with A.K. Sarkar, former Chief Justice of India as the Chairman. Either no report was given or the then Government shelved and concealed it. In reply to a question put by you, jointly with other Members, Parliament was informed on 4.12.1969 that the tenure of the Committee was extended 5 times

and that, till date, the Committee had had 12 sittings, had examined 53 persons and had accepted 135 memoranda and had obtained replies to its questionnaires from all the States and the Centre. However, due to withdrawal of its Members by the All-party Goraksha Maha-abhiyan Samiti the Committee could not complete its work. The Committee was established in pursuance of the historical Cow Protection March of Delhi of 7<sup>th</sup> November, 1966 the firing on which led to the massacre of a number of saints and sages.

We were faced with various constraints of ministry and bureaucracy, who could not provide even proper office to the Chairman and to the Acting Chairman, with the result that the preparation has been done at the residence-cum-office of the Chairman, Animal Welfare Board of India, who is also the Vice Chairman and Acting Chairman of the Commission.

We are happy that we have been able to have a comprehensive study of the cattle wealth of India, its reverence and respect from Vedic age, its massacre in British Government's period, preceded by earlier invasion of Muslim and Mughal Emperors. Of course, the worst suffering it is having is after our Independence, as the partial laws of prohibition are mostly contained on the statute books, decorating the libraries and are being used more in violation than in enforcement.

We are constrained and deeply hurt to note that even in the State Capitals, under the very noses of the Chief Ministers, Secretaries and the Director Generals of Police, slaughter and massacre of even cow and calf, which is prohibited in almost all the States, except Kerala, takes place almost every day in suburbs, busy localities and townships, not to talk of villages. In Bhuvaneshwar, daily slaughter of cow and its progeny is taking place for providing beef to the zoo animals, as the Commission found, after rushing to the spot and catching the culprits red-handed.

But whether it is Cuttack or Patna, Ranchi or Kolkatta, Mumbai or Bangalore or Jaipur, Government's inability to stop the cow slaughter with iron hands continues, and the excuse given is that it is a social problem to be abetted and tolerated shamelessly for years together. The various State Governments have admitted their inability to stop the coming up of large numbers of illegal slaughter houses and their similar inability to stop the mass smuggling of cattle to Bangladesh and Kerala, from the States of U.P., Haryana, Rajasthan and M.P. in the North and A.P., Karnataka and Tamil Nadu in the South. This admission should put the present Central Government on red alert. In Mewat, daily slaughter of thousands of cows are going on with the Governments of Rajasthan, Haryana and U.P., all turning a

blind eye to it, presumably due to being soft towards Mews. Even the British Government in 1944 prohibited its Military from killing milking cows and calves up to three years and males up to 10 years of age, but in the Deonar Slaughter House in Mumbai, the Maharashtra Government officials accepted that they treat a cattle as a calf only up to the age of one year. What a pity!

The mass slaughter of 2 lakh cows every year on the occasion of Bakrid in Calcutta alone, in spite of Supreme Court directions of 1994 in Bakrid case (AIR – 1995 S.C. 464 – Ashutosh Lahiri & Others Vs. State of West Bengal) prohibiting exemption, even on religious grounds, from provisions of the law banning cow slaughter, is a challenge to the authorities in New Delhi, both political and judicial. The Government of West Bengal became an abettor, by protecting cow slaughterers and arresting protestors such as Shri Jhumarlal Tawri and his group, thus creating a protective umbrella for the slaughterers and the Central Government remained a silent spectator. This phenomenon created cause for serious concern for all Members of the Commission.

The Commission felt more disturbed because a similar judgment of the Supreme Court, in respect of a dispute in U.P. about the religious place of Ayodhya, was enforced by both the U.P. State Government, as well as the Central Government. The Centre used not only police force, but also deputed para-military forces in big numbers at Ayodhya but the judgment of the Supreme Court in the Bakrid cow sacrifice prohibition case, was allowed to be thrown in the waste paper basket of the Writers Building in Calcutta. The mighty forces of the Central Government, to whom petitions were sent from various parts of India to ensure protection of about 2 lakh cows in Calcutta on Bakrid sacrifice, just remained in their barracks, which amounted to scrapping of Article 14, by discriminating between two judgements of Supreme Court during the same period and on same religious sensitive issues of Ram Janma Bhumi and massacre of Lord Krishna's cows.

The Commission, after the entire historical survey and thorough study of Constitutional developments, has come to the conclusion that, unless protection of cow and its progeny is introduced as a Constitutional right and the Central Legislation is enacted, to enforce it with a Central Rapid Cattle Protection Police Force, such as the CRPF and BSF, which should be constituted, piecemeal laws of some States would never be able to contain the cow slaughter menace in India.

The Commission feels that now, with the advent of cow dung and cow urine revolution for its utilization in organic manure and medicines, no cattle, howsoever

ill, dry or infirm, is uneconomic and all cattle are economically viable and self reliant and not a burden. The killing under the "Animal Husbandry Department" mischievous camouflage of "CULLING" should stop.

We have listed about 51 major recommendations, with many more minor recommendations of Sub Committees. We have also requested for acceptance of the recommendations of the report of "Task Force on Organic Farming", Dept. of Agriculture and Cooperation, Ministry of Agriculture, Govt. of India – November, 2001 presented by Mr. Kuwarji Bhai Jadhav.

May I point out that all the voluminous reports are secondary to the clarion call made to the then Prime Minister on September 21, 1966 by your 'DEFACTO' Mentor (as the 'DEJURE' Mentors were Pandit Deendayalji and Pujniya Guruji of RSS) and first Janta Government architect, Samgra Kranti Architect, the tallest freedom fighter Pujniya Jayaprakash Narayan, who wrote thus: " I cannot understand why in a Hindu-majority country like India, where rightly or wrongly there is such strong feeling about cow slaughter, there cannot be a legal ban. In all the Muslim countries, even those who are considered to be most modern, I doubt if pork would be allowed to be sold, or served in public places. I think the same would be true for Israel. Likewise, in some Christian countries on certain days of the year no meat is eaten or sold."

Similarly, in his 'Farman' in support of compassion to animals, the great Mughal Emperor Akbar said "In reality, the fact is that when Allah (God-Ishwar) has created several nice eatables for human beings, then we should not be cruel to animals and should not convert our stomachs into grave yards for animals.

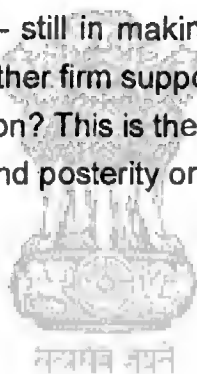
We are submitting this Report in the record time of one year, as we are keen that under the Prime Ministership of Hon'ble Shri Atal Bihari Vajpayeeji, assisted by Deputy Prime Minister Hon'ble Shri Lal Krishna Advaniji and the present Members of the Parliament, this report should be accepted, in toto. Let there be follow-up for implementation by Legislative and executive action soon, as cattle slaughter is a continuing offence and a black spot on our faces.

We are grateful to all consultants, scientists, social workers, educationalists and authors, who have helped us in preparation of this Report and to whose books we have made references.

Commissions normally never get back the ATRs or action taken reports. However, "we the people of India who have taken to us our sacred Constitution" never forget the inaction or lapses, whether it is the non-implementation of the Report of the Committee headed by Sardar Datar Singh, recommending total prohibition on cow-slaughter or the mockery meted out to the 1967 Committee having Guruji and Shankaracharyaji of Puri as Members. A few people can forget but posterity and history would enforce accountability.

We hope that Atalji would, by respecting "GOMATA" and accepting this Report, write his name and that of his Government in golden letters in the history of this country, like "Ashoka the Great" and "Akbar the Great", both of whom embodied "Ahimsa", especially cow slaughter prohibition, under Buddhist and Jain influence of "Non-violence". The great Mahatma Gandhi & Acharya Vinobaji only echoed these concepts and expressed concern for the-speechless cow.

Would Atalji – the Great – still in making, with Advaniji – a Sardar Patel pattern, with George, Joshi and other firm supporters of cow protection, be able to take up the cause of cow protection? This is the billion-dollar question, the answer to which can be judged by ATR and posterity only.



(JUSTICE GUMAN MAL LODHA)

Acting Chairman, National Commission on Cattle.

Place: New Delhi

Date : 28.07.2002

# **CHAPTER I**

## **INTRODUCTION**

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# CHAPTER I

## INTRODUCTION

(By Justice Guman Mal Lodha, Acting Chairman)

1. “*Bharat Varsha*”, also known as “*Arya Vart*” and now constitutionally named as “*India*” i.e. “*Bharat*” is pre-dominantly a country of villages. The economy of this country is mainly based on Agriculture.

2. There is an interesting historical anecdote about the Chairman of the National Agricultural Commission, the late Shri Nathuram Mirdha, who, when asked by a foreign delegation as to what, according to him, was the culture of India, replied “Agriculture and no other culture is the culture of India”. The king-pin of agriculture in the country is the Cow, other-wise known as “*Kamdhenu*”.

3. Dr. Vishrant Vasist in his famous thesis “*A Saga Leading to the Prosperity of Mankind*”, traces the mythological history of the cow or Kamdhenu to the Indian or Vedic version of the history of mankind. Mythology has it that, during the churning of the oceans (Sagar Manthan of Mantrachal Samundra), which took place as a result of the struggle between the God's Saints (Devas) and the Devil's Rakshasas, the first outcome or Ratna was the “Hallahal” also known as “Kalkoot Vish”, the poison which was drunk by Lord Shankar. The second outcome from this Samudhra Manthan was a cow. She was named as “*Kamdhenu*” and she was able to fulfill all the needs, ambitions and requirements of all. God's Saints and Sages welcomed *Kamdhenu*, and since she was young and tender, she was given for nursing to Maharshi Vasist who constituted “*Go Loka*” separately. Kamdhenu gave birth to “*Nandini*”. The Sage “*Dhanwanthri*” had great respect for Kamadhenu, whom he worshipped and with her blessings, he made a great medicine called “*Panchagavya*”, consisting of Cow milk, cow ghee, Cow curd, cow urine and cow dung.

4. The mythological version goes on to say that “*Dhanwanthri*” was taken by Narad to Bhagwan Vishnu, who predicted that he would himself do Go Seva, in an exemplary manner, in one of his incarnations or Avatars as “*Sri Ram*” and, thereafter, the cow would also be identified with the name of Lord Krishna.

5. Later on, the entire economy was counted in terms of the number of cows owned by individual in tens, hundreds, thousands, lakhs and crores. “*Maharaj Virad*”, in the Mahabharat era, had a big herd of cows, which was known as his main property. Maharshi Chyavan was a great worshipper of cow and so also was “*Maharaj Rikthambhar*”. The great King “*Dilip*”, an ancestor of “*Bhagwan Ramachandra*” challenged a lion, which wanted to satiate its hunger by eating the cow “*Nandini*”, by offering himself instead of the cow. The mythology is full of descriptions of other cow-worshippers like Pandu's son Sahadev and Raja Virad, and in later times, saints like Santh Namdev were known for their dedication to the Cow. Chatrapati Shivaji as a young boy even during the regime of the barbaric and cruel Mughal King Aurangazeb challenged a butcher, who was forcibly taking a cow for slaughter and not only rescued her but killed the butcher in an incident which took place in Bijapur.

6. Sir Monier-Williams, a great Scholar of Sanskrit, who was Professor of Sanskrit at Oxford University, in his famous ‘Sanskrit-English Dictionary’ has given 72 equivalents and meanings of the word “*Cow*”, some of which are reproduced hereunder:

1. Gau; 2. Shringne; 3. Tamcha; 4. Maha; 5. Porari; 6. Surabhi; 7. Usara; 8. Arjuni; 9. Agra; 10. Rohini; 11. Dhenudhenuka;



12. Godhenu; 13. Strigavi; 14. Dogdhi; 15. Pinoghani; 16. Pivarrupani; 17. Dhenusha; 18. Govrindarava; 19. Gomutallika; 20. Goprakanda; 21. Vatskama; 22. Vatsala; 23. Vasundhara; 24. Vasudha; 25. Dharitri; 26. Dharini; 27. Medhani; 28. Vatsiya; 29. Amira.

7. Cow has been treated as auspicious and also a symbol of compassion and piousness. Cow is treated as the highest and most pious animal and is given the utmost importance, being at the apex in the Animal world. The belief is that one can attain salvation (Moksha) by worshipping the cow and serving her and both Lord Krishna and Balram spearheaded the “Cow worship and preservation” culture. The first Jain Tirthankar, Adinath was also named as Vrashbh meaning ‘Oxen Sorub’. Of all beings, the cow is treated, in India, as the most sacred and sanctified. This sense of the unique sacredness of the cow is expressed in the works of ancient Indian Rishis (like in the Vedas, Smritis, Srutis and Puranas, etc., as well as in later literature and folklore.

8. Our ancient culture treats all animals as having a soul, in the same manner as human beings have souls. Here, in India, all life including insects, ants, animals and plants, big or small, each and every one has a sanctity of his or her own. Jain Philosophy of Adinath and Mahaveer recognized “Soul and Life” in animals and plants, trees and vegetables, even before Jagdish Chander Bose proved it scientifically. It is believed that the soul of each living being migrates from one life-form to another, till the Individual soul, after countless births and rebirths, gets absorbed into the ultimate cosmic or divine form. In India even those, who have over recent centuries been converted to other faiths like Islam or Christianity, often tend to believe in this theory of transmigration of souls from one life to another.

### **Cows constituted a very important part of ancient Indian Society**

9.1 The following Shlokas from some of our Scriptures show the importance given to the Cow and its role in ancient Indian Society.

- गावो विश्वस्य जगतः प्रतिष्ठा  
(Cows are most prestigious in the Universe)

9.2 Cows were worshipped like Goddesses and treated as the members of the family. Vedic rhymes are full of prayers to the Almighty, in which the worshippers ask that, along with their children, their cows also be bestowed peace security and longevity.

- पश्वे तोकाय शं गवे इह 8.5.20  
(Let our animals, children and cows enjoy peace)

9.3 It was a practice to offer prayers to cow in her praise:

- युगं गावो मेदयया कृशं चिदश्रीरं चित्कुणुथा सुप्रीतकम् ।

भद्रं ग्रहं कृणुय भद्रवाचो ब्रह्मदो वय उच्यते सभासु ॥

(अथर्ववेद ४.२१.६)

(Cow, you render weak persons strong and healthy. Your holy sound pleases every one)

9.4 Cows were held in such high esteem, that they were equated to the whole universe.

- एतद्रै विश्वरूपं सर्वरूपं गोरूपं

(अथर्ववेद -९-७-१-२६)

9.5 Cows were considered as un-killable:

- “रूपं अध्वे ते नमः  
अध्वे । ते रूपाय नमः”

(Oh! Un-killable cow, I / we bow to you)

(अथर्व - 10-10-1)

10. Even the excreta of cow (Gobar) was considered as an anti-pollutant and was used for covering floor and walls of houses, including in the kitchens. Spraying cow's urine everywhere indoors to purify the place and parts of human body was a common practice. Cows were considered as wealth and also as a measure of wealth. Those who possessed larger numbers of cows were considered wealthy. Donation of cow (Godan) was considered as a most noble act as by donating a cow, a person was parting with one of his most precious possessions.

11. So highly were cows held in esteem by the Society that there were days fixed in the yearly calendar for exclusive worship of the Cow. Three days prior to the festival of Deepavali is called “Bachvaras (Vasubaras), which is a festival when cows are offered “Pooja”. Dhanteras is a day when cows are worshipped along with Dhanwantari the Sage and the deity of medicine) Balipratipada or Padwa is celebrated the day after Deepavali when, in many parts of India, cows are ceremoniously worshipped. Not only cows, but bulls also, were, and still are, the objects of worship. The last day of the month of Shravan, called POLA, is a day when bulls are decorated and taken in a procession to a public place for collective worship, after which they are then taken from house to house where each family offers ‘pooja’. The day after this is celebrated as Children's Pola, when the children decorate and worship the wooden idols of bull and take them in a procession to a public place.

12. So holy and auspicious is this gentle creature regarded in our country that it is believed to be able to ward off any evil. Accordingly, if a child is born on an inauspicious day or under an inauspicious sign, it is ceremonially placed beneath the standing cow (Shantipooja) and she is asked to save the child from any evil.

### **Cow – the embodiment of our culture - The Mother of the Universe**

13. Ours is a divine culture, unlike the materialistic cultures of other countries, and as such it is unique in the world. It paves the way to realization of Self (Atma) as well as the Supreme Being. It leads to Divinity and the eternal bliss. Non-violence and concern for the welfare of the whole universe are its main features, which are imbibed in our code of conduct, as well as in our way of life and are revealed in our scriptures as is evident from the following citations:

- अहिंसा तत्पदम्  
(By non-violence one attains the Supreme State)

- धर्माणां च यथाहिंसामय दानं वरेण्यकम् ।

(Manusmreti 6.75)

(Just as Non-violence is highest among all the religions similarly granting fearlessness is the highest of all gifts)

- दृते दृहंमा मित्रस्य मा चक्षुषा सर्वाणि भूतानि समीक्षन्ताम् ।  
मित्रस्या दृष्टं चक्षुषा सर्वाणि भूतानि समीक्षे ।  
मित्रस्य चक्षुषा समीक्षामहे ।

(Yajurveda 36.18)

( O dispeller of all pangs and ignorance (दृते), strengthen me (दृहंमा). May all beings (सर्वाणि भूतानि), regard (समीक्षन्तां ) me (मा ) with the eyes of a friend (मित्रस्य चक्षुषा)

May I regard (अहं समीक्षे) all beings (सर्वाणि भूतानि ) with the eyes of a friend ( मित्रस्य चक्षुषा ).  
May all of us regard ( समीक्षा महे ) each other with the eyes of a friend ( मित्रस्य चक्षुषा )

- प्रिय पशुनां भूयासम् ।

(May I be dear to all animals)

(Atharvaveda 17.14 )

14. The Cow is the embodiment of non-violence, compassion and motherly affection for all beings, tolerance, gratitude and benevolence. Her nutritious milk, gobar and gomutra are great contributions to mankind. Her blessings fulfill all materialistic as well as spiritual longings of the persons who serve her. She wishes for and works for the welfare of the whole universe and, in recognition of her virtues and contributions, she is given the status of the "Mother of the Universe (गावो विश्वस्य मातरः) and declared as non-violable (अधन्या) and incomparable.

15. Maharishi Vedavyas states in the great epic "Mahabharat' in Anu 195 that Bhagvan Brahma, the Creator of the Universe, first created the mother-like cow for all the living creatures.

#### **Punishment for killing of cow as prescribed in Vedas and Smrities**

16. There are several references in our Scriptures regarding the punishment that could be meted out to persons found guilty of killing cows.

Atharv Veda (1/16/4) warns:

- यदि नो गांहंसि यद्यश्रं यदि पुरुषम् ।  
तत्त्वां सीसेन विध्यामि यथानोअसोअवीरहा ॥

(If you intend to kill our cow, horse or man, we shall pierce you with poisonous arrows so that your evil design does not succeed).

Shloka 13 of Chapter 9 of Manu Smriti commands:

- आततायिननायान्तम् हन्यादेवा अविचारयन् ।

(He, who is an AATATAYI should be killed at first sight without pondering) - Killer of cow is also an AATATAYI)

## **Nandi - the carrier (Vahan) of Shiva – the embodiment of Dharma**

17. Nandi, the bullock is the carrier of Bhagwan Shiva. Shiva in Vedic literature (Vangmay) is a synonym for the term 'public welfare' (Lok Kalyan). Therefore, the bullock is the carrier of the Doer of Public Welfare. Virtually the bullock is a brother of mankind, who does draught work for man and, that too, without any remuneration. The male calf, after attaining the age of 3 years, is castrated and becomes a bullock, which serves mankind for the remainder of its life. Can there be any more sacrifice of anybody for the cause of public welfare? That is why in each and every Shiva temple in the world, one will always find the statue (Murti) of Nandi along with the statue (Murthi) of Bhagwan Shiva.

18. 'Vrishabh' is the Sanskrit equivalent of the English word 'Bullock'. The word "Dharma" has no equivalent in English and according to great Saint and Poet (Mahakavi) Tulsidas, there is no Dharma comparable to benevolence.

"परहित सरिस धर्म नहि भाई\*\*"

90% of our agriculture and rural transport still depend upon our bullocks. Bullocks are thus the embodiment of our Dharma.

## **Cow – the immunizer from diseases – Panchgavya, a Divine substance.**

19. Our immunity from diseases, our prosperity, our livelihood, and organic, eco-friendly, sustainable, low-cost and quality-yield agriculture and pollution-free environment depend, to a very large extent, on our cattle. They form a source of ever-lasting energy as well.

20. Cow and its progeny give us wonderful power of resistance against diseases, through its milk and milk products. As stated earlier, Panchagavya, which is a mixture of Cow milk, curd, ghee, urine and dung (Juice of fresh cow-dung) prepared as per laid down prescriptions and processes, is a divine substance, which purifies not only the body but the mind as well.

### **Scope of the word 'Cow':**

21. In Vedas and Smritis the word "Go", which stands for the English word 'cow', has a broad meaning. It includes not only the male and female and calves of the cow but also cow-milk, cow-urine and cow-dung. Similarly, the word 'Vrishabh', which stands for the word 'bullock', is also used even for the agriculture products produced with help of the bullock.

22. For us, 'Cow' basically means cows of our indigenous breeds, which possess certain inherent divine virtues enumerated above, which are lacking in the foreign breeds of the cow. There are more than 50 indigenous breeds, the names of some of which are mentioned below:-

1. Gir; 2. Kakrej; 3. Haryana; 4. Nagauri; 5. Amritmahal; 6. Hallikar; 7. Malavi; 8. Nimari; 9. Dajjal; 10. Alamhadi; 11. Bargur; 12. Krishnavalli; 13. Lal Sindhi; 14. Tharparkar; 15. Gangatiri; 16. Rathi; 17. Ongole; 18. Dhanni; 19. Panwar; 20. Kherigarh; 21. Mewati; 22. Dangi; 23. Khillari; 24. Bachhaur; 25. Gaolao; 26. Siri Kangayam.

Most of these breeds are multipurpose breeds i.e. they feed us with milk, gives us calves for draught work, Gobar for use as manure/fuel and Gomutra for use as pest-repellants and medicine.

### **Contribution of the cow to the economy**

23. The reverence in the minds of the people of this country for the cow has not arisen out of any blind faith or religious ritual. It came out of the utility of cows. In addition to milk, curd and buttermilk, cow's urine and dung are useful to a great extent for various purposes. Even after her death, the cow's horn and other part of the body are used to make manure, (Seeng Khad), which is very rich in nutrients for the soil and is very precious from the agricultural point of view.

24. Our country is predominantly an agricultural country. The system of agriculture was based on utilization of cow and its progeny, both in the agriculture fields and otherwise. It has been reported that, around 200 years ago, there were some areas in Malabar, Tamil Nadu and other regions of this country, where the yield of agriculture produce used to be more than what it is now in Japan. This was mainly due to utilization of cow and its progeny, use of cow dung and cow urine as manure/pesticides and use of bullocks for ploughing the fields. As the soil in agricultural fields of India, is mostly very delicate and thin, the cultivation through the utilization of bullocks was most suitable for soil conditions. Prior to the installation of railway lines in India, even the British used to utilize bullocks both for army transport purposes and for ploughing the fields.

### **The genesis of cow slaughter in India**

25. Cow slaughter in India first started around 1000 A.D, when various Islamic invaders came to this country from Turkey, Iran (Persia), Arabia and Afganistan. According to Islamic traditions in Arab countries they used to kill and sacrifice goats and sheep. On special occasions they used to sacrifice camels. However, the Islamic rulers, from Central and West Asia were not habituated to beef-eating, as there were no cows in Arabic countries in those days. When the invaders came to India, they started sacrificing cows, especially on the occasion of Bakri-Id. This was done more to humiliate the natives of this country and establish their sovereignty and superiority rather than for food purposes. This practice resulted in discontentment amongst the native Hindu population of this country, who felt offended and hurt. As a response to the protests from the Hindus, Moghul rulers like Akbar and Aurangzeb are said to have prohibited cow killing and sacrifice of cows during the Muslim festivals, at different places.

26. With the dominance of Islam disappearing around 1700, the killing of the cow became less and less. It can reasonably be assumed that there was very little killing of the cow during the period 1700 to 1800 A.D. In fact, according to Shri Dharampal, in his book on the cow protection movement (about to be published shortly), between the end of Mughal rule and the advent of British Rule in India, there would have been very few incidents of tensions between the two communities on account of cow slaughter.

### **Cow slaughter in British India**

27. However, in the early part of the 19<sup>th</sup> century, with the advent of British rule in India, a new situation was created with the arrival of the Europeans, who were habitual beef-eaters. In the Novel "What is to be done" by "N.G. Chernyshvsky (English Edition Vintage 1961), the author speaks of how the Russian people were of the belief that beef gives great strength and stamina to human beings. For over 2000 years, Europe had been a major consumer of the flesh of the cow. Naturally, therefore the killing of the cow in India by Europeans, especially the British, increased soon after they began to establish themselves in various parts of India in the early 19<sup>th</sup> century. To begin with the number of cows killed was not noticeable and escaped attention. But by the end of the 19<sup>th</sup> century such killing had assumed large proportions and a large number of slaughter houses on the Western pattern were set up in various parts of India by the Commissariat Wing of the three British armies (of Bengal, Madras and Bombay Presidencies). To do such killing, a large number of slaughterers had to be found. As the Hindus declined the job, the converted Indian Christians and Muslims butchers were utilized for the slaughter of cows.

28. A modest estimate by Lala Hardev Sahay of Haryana (Biography - 1995 pp 105) was that the maximum number of cows killed in any single year, during Islamic Rule, would not have exceeded 20,000 cows. In contrast, the Father of the Nation, Mahatma Gandhi, stated in a speech given in Muzaffarpur in 1917, that 30,000 cows were slaughtered daily (1 crore 10 lakhs annually) by the British (CMMG 14, page-80)

29. It was at this juncture that the British started condemning Indian Cows. They propagated the notion that India was a land of superstitious people, who had a blind faith in animals, rivers, trees and plants, and that the Indians were weak, unhygienic and inferior, and even their cattle breeds were inferior. Munshi Premchand, the great write, in his Novel "Godan" echoed this sentiment, when he made one of his characters, a peasant, advocate the purchase of a cow of a western breed. As per the 1928 Report of the Royal Commission on Agriculture, the low degraded local Indian cow breeds were weak and useless and thus the influx of foreign breeds into this country started.

30. The number of British officers and soldiers were around 20,000 at c. 1800 A.D. In 1856 AD this number is stated to have been around 45,000. This number of British army officers and soldiers increased to over one lakh, by the end of 1858 i.e. after the first war of Independence (Mutiny). The total number of British and other European people, including civilians and army personnel, was around 3 to 5 lakhs between 1800-1900. As the major part of this was army personnel posted in northern India and their families, the killing of the

cow and the consumption of beef increased four-fold in many parts of northern India became four fold or more. The details of statistics of Cow Slaughter during British period are contained in **Annex I - (1)**.

31. Deshmesh Guru Govind Singh declared that the object of his Khalsa Panth, was to protect Arya Dharma, the Cows and the Brahmins and to serve the sages and the poor. In his "Chand di Var" poem in 1812 he prayed to Mata Durga Bhawani thus:

○ यदि देहु आज्ञा तुर्क गाहै खपाऊँ ।  
गऊ घात का दोष जग सिऊ मिटाऊँ ॥

(Command me to eliminate the Turks and evil of Cow-slaughter from the world)

### **Beginning of mass protests against cow-killings**

32. The first War of Independence was fought after a signal from Sepoy Mangal Pandey, who shot down his British Commander, as the latter compelled him to open, by mouth, the beef-coated carttridges / bullets. In 1870, the Namdhari Sikhs started a cow protection revolution, which is known as the Kuka Revolution, in which they revolted against the Britishers for protection of the cow, in the process sacrificing their own lives.

33. A few years later, Swami Dayananda Saraswati gave a clarion call for the stoppage of cow slaughter by the British and suggested the formation of Go-samvardhani Sabhas. During the years 1880-1894 there was a very intense and widespread movement all across North India and some parts of the South, which mobilized the people of the country on the issue of cow-killing. The Gosamrakshana movement covered most of Punjab, Rajasthan, Haryana, Uttar Pradesh, Bihar, Bengal, Madhya Pradesh, and some parts of Maharashtra and Karnataka. Practically everybody, in Northern and Central India was a part of this movement and crores of people, including a few non-Hindus also participated in it in all possible ways. Many of the Sanyasis from South India spread it all over the country. It was during the period 1880 to 1893 that hundreds of Gaushalas were opened for keeping cow rescued from the clutches of the butchers.

34. In 1891, Mahatma Gandhi commended and appreciated the Anti Cow Slaughter agitation, as evidenced by the following extract:

The Great Anti kine-killing Movement against the killing of the cow by the British in India (1880 – 1894)

And certainly the milking of the cow, which, by the way, has been the subject of painting and poetry, cannot shock the most delicate feeling as would the slaughtering of her. It may be worth mentioning *en passant* that the cow is an object of worship among the Hindus, and a movement set on foot to prevent the cow from being shipped off for the purpose of slaughter is progressing rapidly.

M.K. GANDHI ON THE COW: 1891  
(also in Collected Works of Mahatma  
Gandhi (CWMG) Vol. 1, p.19 from  
THE VEGETARIAN, LONDON, 7.2.1891)

35. The British response to this Movement is brought out in a telling manner in a letter from the British Queen Victoria to Viceroy Lansdowne. This letter, in which support has been indicated for the Muhammadan cow-killers, is dated 8-12-1893, when the movement was at its peak. The relevant extract from the letter is given below::

**" The Queen greatly admired the Viceroy's speech on the Cow-killing agitation. While she quite agrees in the necessity of perfect fairness, she thinks the Muhammadans do require more protection than Hindus, and they are decidedly by far the more loyal. Though the Muhammadan's cow-killing is made the pretext for the agitation, it is, in fact, directed against us, who kill far more cows for our army, &c., than the Muhammadans."**

36. The fact that the anti cow killing agitation was actually against the widespread killing of the cow to supply daily cow flesh to the over 1,00,000 British soldiers and the officers of the British army in India, and the several lakhs British and Europeans living in India to assist in the running of the British Imperial system, was known not only to most Indians, be they Hindus, Muslims or Christians, but also to a large number of high-level British officers.

37. The Anti-Kine Killing Movement was finally crushed by the British through the instigation of major riots between the fundamentalists amongst Muslims and the Hindus. The British rulers pampered the Muslims fundamentalists, in order to teach the Hindus a lesson, by resorting to mass-scale cow killings, with the Administration protecting, as well as provoking the Muslim fundamentalists.

38. The large extent to which riots, sparked off on account of cow killings, took place was described in the Press of those times. A compilation of the news items on the Bakri-Id riots, published in 1893 and obtained from the India Library, courtesy of Shri Dharampal, Chairman of the Commission, is at **Annex I (2)**. Some of the reports that have been commented upon appeared in the following papers of the year 1893:

1. The Sulabh Dainik of 11<sup>th</sup> July
2. The Sulabh Dainik –26<sup>th</sup> July
3. The Sullabh Dainik of 5<sup>th</sup> Aug.
4. The Sulabh Dainik of the 7<sup>th</sup> Sept..
5. The Sulabh Dainik of the 12<sup>th</sup> Sept.
6. The Dainik-o-Samachar Chandrika of the 17<sup>th</sup> Aug.
7. The Dalinik –o- Samachar Chandrika 21<sup>st</sup> Aug.



8. The Dainik-o-Samachar Chandrika 22<sup>nd</sup> Aug.
9. The Dainik-o-Samachar Chandrika 7<sup>th</sup> Sept.
10. The Dainik-o-Samachar Chandrika 13<sup>th</sup> Sept.
11. The Sahachar 9<sup>th</sup>Aug.
12. The Sahachar 30<sup>th</sup> Aug.
13. The Dacca Gasette 17<sup>th</sup> July
14. The Banganivasi 11<sup>th</sup> Aug.
15. Shulb Suchak 21<sup>st</sup> July
16. The Karnatak Patra of 31<sup>st</sup> July
17. The Rajya;bhakta of 8<sup>th</sup> Aug.
18. The Kalpataru of 20<sup>th</sup> Aug.
19. The Maharatta 27<sup>th</sup> Aug.
20. The Hindustani (Lucknow) 12<sup>th</sup> July
21. The Sitara-i-Hind (Moradabad) 20<sup>th</sup> July
22. The Shubh Chintok (Jubhulpore) of 12<sup>th</sup> Aug.
23. The Shubh Chintak (Jubhulpore) 19<sup>th</sup> Aug.
24. The Shubh Chintak (Ju;bbulpore) of 26<sup>th</sup> Aug.
25. The Subodh Singhu (Khandwa) of 30<sup>th</sup> Aug.
26. The Mauji Nerbudda (Hoshangabad) of 1<sup>st</sup> Sept.

#### **Leaders of Swaraj movement – Assurance to the public**

39. All the prominent leaders of the Swaraj Movement, including Mahatma Gandhi, Bal Gangadher Tilak, Lala Lajpat Rai, Pt. Madan Mohan Malviya, Dr. Rajendra Prasad, Purushottam Das Tondon, in order to mobilize public to participate actively in the Swaraj movement, assured the public time and again that, on achieving the goal of Swaraj, the first action of the Swadeshi Government would be to ban slaughter of cow and its progeny by law. Mahatma Gandhi said, in December 1927, *“As for me, not even to win Swaraj, will I renounce my principle of cow protection.”*

40. In 1944, while the British were still in power in India, restrictions were put on slaughter of cattle by the Government, on the grounds that the shortage of was causing anxiety to the Government. The shortage itself was attributed to the increased demand for cattle for cultivation, transport, milk, etc. It was decided that, in respect of slaughter by the army authorities, working cattle, as well as, cattle fit for bearing offspring, should not be slaughtered. Accordingly, the slaughter of all cattle below 3 years of age, male cattle between 3 and 10 years, female cattle between 3 and 10 years of age, which are capable of producing milk, as well as all cows which are pregnant or in milk, was prohibited. A copy of Government orders dated 11<sup>th</sup> July 1944, along with some statistics of numbers of cattle slaughtered in those years, is at **Annex - I (1)**, already referred to above.

41. In 1940, one of the Special Committees of the Indian National Congress opined that slaughter of cow and its progeny must be totally prohibited. However, strangely another Committee of the Congress opined that the skin and leather of cow and its progeny, which is fresh by slaughter should be sold and exported to earn foreign exchange. ***It opined***

**against cow slaughter prohibition.** It was in pursuance of such unfortunate recommendations, as well as pressure from the leather lobby that, in 1950, an order was issued by the Government of India that the skin of dead cow fetches less value in comparison to the skin of the slaughtered cows. State Governments were, therefore, advised not to introduce total prohibition on cow-slaughter.

42. There was an abnormal increase in the number of Cows (cattle) slaughtered in the years preceding Independence. As per statistics given by Pandit Thakur Dass, during the debate in the Constituent Assembly on 24.11.1948 (page 569 –Annexure 3A), whereas in 1944, the number of cattle (Oxen) killed was 60,91,828, in 1945, sixty five lakhs were slaughtered, an increase of more than 4 lakhs. He further stated that the population of oxen in the country decreased by 37 lakhs in 5 years from 1940 to 1945.

#### **Recommendations of various Committees / Commissions on Cow Slaughter**

43. After Independence, in November 1947, an Expert Committee was appointed by the Government of India, Ministry of Agriculture to consider the question of banning slaughter of cattle in all its aspects and to recommend a comprehensive plan of action for preserving the cattle wealth of the country and for promoting its development. The Committee, which came to be known as the Cattle Preservation and Development Committee, was chaired by Sardar Datar Singh. In its Report, submitted in November 1947, the Committee urged upon the country to put a total ban on the slaughter of the cow, in two stages, but within a period of two years.

44. The final recommendation of the Datar Singh Committee is as follows:

“ This Committee is of the opinion that slaughter of cattle is not desirable in India under any circumstances whatsoever, and that its prohibition shall be enforced by law. The prosperity of India to a very large extent depends on her cattle and the soul of the country can feel satisfied only if cattle slaughter is banned completely and simultaneous steps are taken to improve the cattle, which are in a deplorable condition at present. In order to achieve these ends, the Committee suggests that the following recommendations should be given effect to:-

- (i) The first stage which has to be given effect to immediately, should cover the total prohibition of slaughter of all useful cattle other than as indicated below:
  - (a) Animals over 14 years of age and unfit for work and breeding.
  - (b) Animals of any age permanently unable to work or breed owing to age, injury or deformity.
- (ii) Unlicensed and unauthorised slaughter of cattle should be prohibited immediately and it should be made a cognizable offence under law.
- (iii) **The law for prohibiting slaughter of cattle totally should be enforced as early as possible but in any case within two years of enactment of the Act, (emphasis provided) during which period following necessary arrangements should be made for the maintenance and care of unserviceable and unproductive animals.**

- (a) A survey of the country should be conducted to find out the areas where Go-sadans may be established and all details with regard to expenditure, etc, should be worked out and arrangements therewith made.
- (b) Necessary legislation for the raising of funds required should be enacted as follows:
  - (i) *Gaushala* cess, such as *laga*, *Bitti*, *Katauti*, *Dharmada* should be legalised and their collection regulated for the utilisation in the improvement of *Gaushalas* and *Go-sadans*.
  - (ii) .....
  - (iii) .....

45. The recommendation regarding the first stage towards a total ban on slaughter of cattle was taken up by most of the States of India and within a few years, laws were enacted in most States banning the slaughter of all cattle below the age of 14.

46. A Committee was constituted in Uttar Pradesh in 1948, which included prominent persons from all communities, including the Nawab of Chattari, and Justice Maharaj Singh (a judge of the U.P. High Court and also a Christian). This Committee supported the recommendations of the Sardar Datar Singh Committee. Despite this, when in 1955, the U.P. Cow Slaughter Prohibition Act was enacted, an exception was made to allow the stocking and sale of beef, etc. in closed containers at Airports and railway stations.

47. In 1954, another Expert Committee was set up under the Chairmanship of the then Animal Husbandry Commissioner, Shri P.N. Nanda, to consider, inter alia, what steps should be taken to prevent the killing of milch cows, even when they had gone temporarily dry. In its Report, submitted in January 1955, the Committee stated that a total ban on slaughter of cattle would be undesirable, in view of the shortage of dry and green fodder, and concentrates. The Committee reasoned that, as India had little fodder and cattle feed, it could only maintain 40% of its cattle and, therefore, the remaining 60% should be culled.

48. In June 1960, at the Gosamvardhan Seminar organised at Mount Abu by the Central Council of Gosamvardhana, the problems of salvage of milch stock when they go dry and their calves from cities and towns was discussed. The ways and means of preserving good quality cattle in the breeding areas were also discussed at this Seminar, at the end of which recommendations were made, which included a recommendation for strict implementation of the provisions of the Prevention of Cruelty to Animal Act, grant of greater concession in the freight rates for transport of dry cattle, setting up of salvage farms by Government etc. In 1961, the Central Council of Gosamvardhana constituted a Committee, under the Chairmanship of Shri Sriman Narayan, the then Member (Agriculture), Planning Commission, to examine, in detail, the various measures necessary for preserving high yielding cattle in the breeding tracts, control on the import of milch cattle into city stables, salvage of dry cows and young stock in the cities and suggest a comprehensive programme for implementing the recommendations made at the Gosamvardhana Seminar held at Mt. Abu. In its Report, submitted in 1962, this Committee suggested, inter alia, that the States should undertake legislation for the registration of milch cattle and for controlling their removal outside the concerned State; that the Ministry of Food and Agriculture should examine the need for a comprehensive Central Legislation for the preservation of cattle

and development of dairying; the Schemes drawn up by the States for preservation and improvement of cattle should receive high priority and necessary funds allotted; the West Bengal Animal Slaughter Control Act should be enforced more rigidly and the Act should be suitably amended so as to provide for the prohibition of import and sale of contraband beef in the city; and, the West Bengal Animal Slaughter Control Act of 1950 be extended to other Municipal areas also and, wherever possible, the Government should associate non-officials also in the enforcement of the various provisions of the Act.

49. In its Report, submitted in 1976, the National Commission on Agriculture made several recommendations in Part VII on Animal Husbandry. Some of the relevant recommendations in Part VI - Chapter 28 (on Cattle and Buffaloes) are as follows:

- *Massive programmes for improving the reproductive and productive efficiencies of cattle and buffaloes should be undertaken. **Low producing stock should be progressively eliminated** so that the limited feed and fodder resources are available for proper feeding of high producing animals. (Chapter 28, Part VII – Recommendation No. 1)*
- *Emphasis on future cattle and buffalo development should be on increasing milk production and improving the working efficiency of bullocks through planned breeding system. (Chapter 28, Part VII – Recommendation No. 5)*
- *Incentives should be given to encourage importation of dairy cattle through individuals of Indian origin who have settle abroad. Government of India may provide foreign exchange to meet the cost of transport of the animals from abroad which can be recovered on 'rupee payment' basis from the recipients..... (Chapter 28, Part VII – Recommendation No. 5)*

50. Although the subjects of buffaloes and production of meat are not strictly within the purview of the National Commission on Cattle, we are reproducing some of the recommendations from Chapter 28 (on Cattle and Buffaloes) and Chapter 36 (on Meat Production and Animal Byproducts) made by the National Commission on Agriculture, to show the mind-set of the planners and other persons in power towards the principles of 'Ahimsa' and sanctity of all animal life, which have been traditionally so dear to the people of this country:

- *The buffalo should be developed not only for enhancement of milk production but also for making it a source of production of quality meat. (Chapter 28, Part VII – Recommendation No. 56)*
- *A deliberate and energetic drive should be made to develop export trade in buffalo meat. (Chapter 28, Part VII – Recommendation No. 68)*
- *Export trade for buffalo meat should be developed by improving the meat characteristics of the buffalo and fattening unwanted male buffalo calves. (Chapter 36, Part VII – Recommendation No. 2)*
- *Modernisation of slaughterhouses should be undertaken immediately. (Chapter 36, Part VII – Recommendation No. 3)*

### **Constituent Assembly Debate on Cow Protection**

51. An Amendment Motion for introduction of a new article 38A in the Constitution of India was moved by Pandit Thakur Das Bhargava and Seth Govind Das in the Constituent

Assembly. The amendment read as follows:

'38-A. The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall in particular take steps for preserving and improving the breeds of cattle and prohibit the slaughter of cow and other useful cattle, specially milch and draught cattle and their young stock'."

52. During the Debate in the Constituent Assembly, on 24 November 1948, on this amendment motion, the arguments in favour of the motion were forcefully advanced by Pandit Thakur Dass Bhargava (East Punjab), Seth Govind Das (C.P. and Berar), Shri R. V. Dhulekar (United Provinces), Prof. Shibban Lal Saksena (United Provinces), Shri Ram Sahai (United State of Gwalior- Indore - Malwa - Madhya Bharat) and Dr. Raghu Vira (C.P. and Berar).

53. It is interesting to note that even a Muslim member, Mr. Z.H. Lari of United Provinces, in the interests of maintaining communal harmony, stated that " Therefore, if the House is of the opinion that slaughter of cows should be prohibited, let it be prohibited in clear, definite and unambiguous words. I do not want that there should be a show that you could have this thing although the intention may be otherwise. **My own submission to this House is that it is better to come forward and incorporate a clause in Fundamental Rights that cow slaughter is henceforth prohibited, rather than it being left vague in the Directive Principles, leaving it open to Provincial Governments to adopt it one way or the other, and even without adopting definite legislation to resort to emergency powers under the Criminal Procedure.** In the interests of good-will in the country and of cordial relations between the different communities I submit that this is the proper occasion when the majority should express itself clearly and definitely."

54. Similarly, another Muslim Member of the Constituent Assembly, Mr. Syed Muhammad Saiadulla from Assam stated, "Sir, the subject of debate before the House now has two fronts, the religious front and the economic front. Some who want to have a section in our Constitution that cow killing should be stopped for all time probably base it on the religious front. I have every sympathy and appreciation for their feelings; for, I am student of comparative religions. I know that the vast majority of the Hindu nation revere the cow as their goddess and therefore they cannot brook the idea of seeing it slaughtered. I am a Muslim as everyone knows. In my religious book, the Holy Qoran, there is an injunction to the Muslims saying - 'La Ikraba fid Din', or, there ought to be no compulsion in the name of religion. I therefore do not like to use my veto when my Hindu brethren want to place this matter in our Constitution from the religious point of view. **I do not also want to obstruct the framers of our Constitution, I mean the Constituent Assembly if they come out in the open and say directly: 'This is part of our religion. The cow should be protected from slaughter and therefore we want its provision either in the Fundamental Rights or in the Directive Principles.'**

55. A close study of the Constituent Assembly debate on the cow issue - verbatim of the debate is placed at **Annexure I (3)**, - would reveal that an initial effort was made for inclusion of a total ban on slaughter of cow and its progeny in the Fundamental Rights enshrined in the Constitution of India. This is evident from the speeches made by Pandit Thakur Dass Bhargava, Seth Govind Das and Prof. Shibban Lal Saksena. It appears that Pandit Thakur Dass Bhargava had to step down from his demand to place the provision in the Fundamental

Rights Chapter and agree to it being put in the Directive Principles, due to insistence of Dr. B.R. Ambedkar. This is evident from the following extract from the opening remarks itself of Pandit Thakur Dass Bhargava, while moving his motion:

*" Mr. Vice-President, with regard to this amendment I would like to submit before the House that in fact this amendment like the other amendment, about which Dr. Ambedkar has stated, is his manufacture. Substantially there is no difference between the two amendments. In a way this is an agreed amendment. While moving this amendment, I have no hesitation in stating that for people like me and those that do not agree with the point of view of Dr. Ambedkar and others, this entails, in a way, a sort of sacrifice. Seth Govind Das had sent one such amendment to be included in the Fundamental Rights and other members also had sent similar amendments. To my mind, it would have been much better if this could have been incorporated in the Fundamental Rights, but some of my Assembly friends differed and it is the desire of Dr. Ambedkar that this matter, instead of being included in Fundamental Rights should be incorporated in the Directive Principles. As a matter of fact, it is the agreed opinion of the Assembly that this problem should be solved in such a manner that the objective is gained without using any sort of coercion. I have purposely adopted this course, as to my mind, the amendment fulfils our object and is midway between the Directive Principles and the Fundamental Rights.*

*I do not want that, due to its inclusion in the Fundamental Rights, non-Hindus should complain that they have been forced to accept a certain thing against their will. "*

56. Seth Govind Dass, who had earlier submitted an amendment for inclusion of cow protection in the Fundamental Rights chapter of the Constitution, introduced another amendment to Pandit Thakur Dass Bhargava's amendment, as follows:

*That in amendment No. 1002 of the list of Amendments in article 38-A the words 'and other useful cattle, specially milch cattle and of child bearing age, young stocks and draught cattle' be deleted and the following be added at the end: 'The word "cow" includes bulls, bullocks, young stock of genus cow'.*

57. The effect of the above-mentioned amendment moved by Seth Govind Das would have been to direct that the State shall prohibit the slaughter of cows, bulls, bullocks and calves of cow. However, this amendment, as well as the earlier amendment of Seth Govind Das for inclusion of cow protection in Fundamental Rights, was negated by the official line of the then Government.

58. The present history of India, in so far as the flood of cattle slaughter is concerned, would always remain related to this unfortunate lapse of the Constituent Assembly and its failure to agree to the inclusion of the clause in the Fundamental Rights Chapter. In spite of the near-unanimous view that the slaughter of cow and its progeny must be prohibited by including it in the Fundamental Rights, the ruling party did not agree and used their Veto to torpedo the views of many members of the constituent assembly. The result was that to, a limited extent, the slaughter prohibition provision was put as one of the Directive Principles of State Policy and on State List of VII schedule, leaving it to the mercy of the State Govt.

and thus keeping the issue alive for all times to come. Had the rulers at that time agreed with the near-unanimous view, slaughter of cows and its progeny would have been completely prohibited, like untouchability by putting it in Fundamental Rights.

59. In spite of the history of the partition and acceptance of the Two-Nation Theory, the ruling party could not accept such uncontroversial legislation like prohibition of slaughter of cow and its progeny, though worshipped by the entire country and people from ages and sages of thousands of years, as "GOMATA".

60. The above-mentioned lapse on the part of the Constituent Assembly, deserves to be remedied even now, and this can be done, provided there is a strong will, burning desire and firm determination. The speeches of the stalwarts and champions of cow protectors, even then in 1948, emphasized that the cow and its progeny is a moving factory of manure and even if it is dry and not giving milk, the utility of its dung and urine in agriculture can financially compensate the farmer for the expenses incurred on it and, therefore, it is never uneconomic or useless. From 1948, to 2002 that is after a period of about 6 decades we are in a position to re-emphasize and prove that the phrase "*useless*" or "*uneconomic*" is out of the common vocabulary, in so far as cow and its progeny is concerned. (This is well proved now in Chapter No. 5 of our Report related to "*bye-products of cow*" i.e., cow dung and urine – organic manure, medicines and energy).

61. The ghost of secularism and concern for the Vote Bank of Bengali Muslims seems to over-rule even the judgements of the Supreme Court in the Writers' Building in Kolkata even now. The tragedy is that even Mamta loses 'Mamta' for the cow, as is evidenced by her interruption and, subsequent walk-out from Parliament on 25.5.96, when President Shankar Dayal Sharma, during his customary address to both Houses in Central Hall of Parliament, declared the resolve of the BJP Government, led by Atalji, to take up suitable measure "in order to ensure cow protection, and to impose a total ban on the slaughter of cows and cow progeny". Gandhi, Vinoba, Tilak and Mahaveer must surely have wept over "Partitioned India", slaughtered by the two-nation theory, again slaughtering the holy and pious Cow in Central Hall by such opposition.

62. Thus many Vote-greedy politicians, a few Money-greedy Hindus and fanatic fundamentalist Muslims, all have joined hands against the speechless cow, reducing it to fulfill their "KAM" from "Dhenu". No wonder that the figure of slaughter of cattle is now in excess of 2 crores per year on record and much more illegally. Gandhiji's desire and promise to the Nation, that when our country became free and independent, the first legislation would be to prohibit killing of cows and its progeny, was given the go-by on the basis of the false and fictitious thinking of so-called Secular leaders that even, although the Muslims in the Constituent Assembly were not opposing the prohibition of cow slaughter, there may be some Indian Muslims, who would rejoice in the sacrifice of cows on the occasion of Bakrid.

63. They seem to have conveniently forgotten that cow-slaughter was not allowed even by Mughal Emperors like Akbar, Jahangir, Humayun and Bahadur Shah Zafar, as the Supreme Court has judicially recorded it and have gone by the dictat of cruel and barbarous invaders and fundamentalists like Babar. Our new emperors seem to have excelled Babar and created records of "Cow Killing" by their acts of omission and commission. Ram Manohar Lohia has lamented that our forefathers were cowards, as they could not fight

invaders and barbarous dacoits such as Changez Khan, Babar and others, who invaded India time and again, implying that they were unable to stop the invasion of our culture and the destruction of our temples and cattle-wealth. In his letter, written in 1966 to the then Prime Minister, Mrs. Indira Gandhi of 1966, Lok Nayak Shri Jaya Prakash Narayan wrote that " For myself, I cannot understand why, in a Hindu majority country like India, where rightly or wrongly, there is such a strong feeling about cow-slaughter, there cannot be a legal ban". A copy of the letter is annexed and marked as **Annex I (4)**.

64. To add fuel to the fire, immediately after independence and the coming into force of the Constitution, the Central Government directed the State Governments not to put a total ban on slaughter, on the plea that the quality of hides and skins of slaughtered cattle was superior and fetched a better price in the export market than that of naturally dead (fallen) cattle and, therefore, a total ban would be detrimental to the export trade. An extract of the letter dated 20<sup>th</sup> December, of the letter written by the Central Government is given below.

*"Hides from slaughtered cattle are much superior to hides from the fallen cattle and fetch a higher price. In the absence of slaughter the best type of hide, which fetches good price in the export market will no longer be available. A total ban on slaughter is thus detrimental to the export trade and work against the interest of the Tanning industry in the country.*

*(Courtesy of "Govadh Bharat Ka Kalank Evam Gai Ka Mahatmaya" – Hanuman Prasad Poddar)*

65. In July 1995, the Government of India claimed before the Supreme Court that: "It is obvious that the Central Government as a whole is encouraging scientific and sustainable development of livestock resources and their efficient utilization which inter-alia includes production of quality meat for export as well as for domestic market. This is being done with a view of increasing the national wealth as well as better returns to the farmer."

66. Replying to a debate in the Lok Sabha on a non-official Bill demanding the total banning of the slaughter of the cow and its progeny, the then Prime Minister of India told the Lok Sabha that if the Bill under consideration was passed *he would have to consider resigning from the Prime Ministership*. This threat of the then Prime Minister led to the withdrawal of the Bill, a Bill which had been debated in the Lok Sabha for some two years and on the adoption of which there seemed to be general agreement in the House.

67. Over a period of time, various judgements of the Supreme Court, as well as the policies of successive Governments in Delhi made way for slaughter of cattle, as well as other animals, larger numbers. In recent decades, the Government has started releasing grants and loans for setting up of the huge so-called 'modern' slaughter houses.

#### **Issue of cow slaughter as dealt with in various Five Year Plans**

68. In the First Five Year Plan, (in Chapter 19 on Animal Husbandry), the Planning Commission stated that according to the 1951 livestock census, there were 150 million cattle and 43 million buffaloes in the country and that bullocks were the principal motive power available for agricultural operations. The Planning Commission recognised that the annual contribution of livestock to the gross national income was about Rs. 1,000 crores, excluding the value of the animal power for draft purposes in agriculture and transport.



However, the Planning Commission also The Plan Document quotes the estimates made by the Cattle Utilisation Committee that about 10 per cent of the cattle population or roughly 11.4 million adults were unserviceable or unproductive. The Planning Commission recommended that measures should be taken for upgrading the cattle and removing useless and inefficient animals to Gosadans. In para-6 of this Chapter, the Planning Commission used the stock, oft-repeated argument that the surplus of useless or inefficient animals was pressing upon the scanty fodder and feed resources, and was an obstacle to making good the deficit (of good milch cows and working buffaloes).

69. In the Second Five Year Plan, again this stock argument was repeated in Chapter 14 and it was observed that 1/3 of cattle population was surplus and therefore the population of cattle is in excess of the available supplies of fodder. In this Plan in para-4 and 5, while referring to the sentiments for banning the slaughter of cattle, as enshrined in Article-48 of the Constitution, which also speaks of the need for organising agriculture and animal husbandry on modern and scientific lines, the Planning Commission diluted the issue by stating ***"But in giving effect to this Directive Principle, care has to be taken to see that conditions are not created which may defeat the very objective which the Constitution seeks to achieve"***.

70. Relying on the Report of the Expert Committee on the Prevention of Slaughter of Cattle, appointed by the Government of India in 1954 to suggest measures to arrest the deterioration of cattle, the Planning Commission stated in paragraph 5, Chapter 14 that "the present fodder and other resources of the country are grossly inadequate even for maintaining the existing cattle population. A complete ban on the slaughter of all cattle would tend to increase their number further and to jeopardise the well-being of the limited number of good cattle which the country possesses". The Planning Commission also relied upon the 1953 finding of the Gosamvardhan Enquiry Committee in Uttar Pradesh, "which estimated that fodder and cattle feeding resources available in the State were sufficient only for about 58 per cent of the cattle population." (Extracts of paragraphs 4 to 7 of Chapter 14 of the Second Five Year Plan document can be perused in **Annexure I (5)**). Thus, the Planning Commission again discouraged the total ban on cow slaughter, on the basis of the stock argument of paucity of fodder.

71. In the Third Five Year Plan, yet again the Planning Commission, in Chapter 21, discussed the problem of surplus cattle in para-12 and stated that "weeding of inferior stock is a necessary complement to a programme of cattle improvement and systematic breeding". The programme for establishment of Gosadans was found to be a failure, more or less.

72. In the Fourth Five Year Plan, while discussing the Animal Husbandry situation, the Planning Commission laid down the cattle breeding policy and development programme. The Commission, in para 8.17 referred to the shortage of feed and fodder, which was hampering the increase in the productivity of livestock.

73. In subsequent Plans, the problem of surplus or so called uneconomic cattle and consequent permission to slaughter them, by interpreting the Directive Principles, which was done earlier, was ignored and no concrete steps were taken to prohibit slaughter. In the Seventh Five Year Plan, Cattle Development Programme and cross breeding were taken as main subjects. The work on embryo transfer technology and breeding targets were taken up.

74. The National Commission on Cattle has learnt that, the sub-group No. XI (on Meat and Meat Products), of the Working Group set up by the Planning Commission, to prepare proposals for the Tenth Five Year Plan has given certain recommendations, which although not falling within the direct ambit of the terms of reference of the Commission, none the less is a cause of distress and concern. The Meat sub-group, inter alia, advocates that:

- The expenditure for increase in meat production and exports should be increased from Rs.1384 crores to Rs.1804 crores.
- The National Meat Board should be constituted with a budget of Rs.2 crores per year.
- The age limit for slaughter of bull and bullocks should be reduced from 15 to 16 years.
- The prohibition on export of meat should be removed.
- In ten Metropolitan cities, abattoirs of a big capacity of Rs.20 crores should be installed.
- In 50 important cities, modernised abattoirs should be opened at a cost of Rs.5 crores each.
- In one thousand villages, slaughter houses of Rs.5 lakhs each should be opened.
- In five hundred villages and ten cities carcass plants of Rs.2 crores and Rs.20 lakhs each, respectively, should be opened.
- In 50 places, special mechanical projects for Bone Mills of Rs.20 lakhs each should be opened.
- Each University should have a training and educational centre for slaughter of animals and promotion of meat export at a cost of Rs. 50 lakhs per Centre.

(According to information available with the NCC, at the time of preparing this Report, the Planning Commission has yet to take a final view on these recommendations).

75. In view of this, it is obvious that, on the one hand, the National Commission on Cattle has made a close study, after touring the entire country, and has suggested various ways and methods to the Government for development of cattle and prohibition of slaughter. On the other hand, the Planning Commission, which is a statutory apex body of the Government could be in the process of creating a situation in which the recommendations and report of National Commission on Cattle could well be jeopardised. The Government would be put on the horns of a dilemma, having to choose between the reports of National Commission on Cattle and Planning Commission (if they accept the Meat group report in toto). The N.D.A. Government would be put to the "Acid Test" of having to choose the objective report of the National Commission Cattle against a report based on an imitation of Pseudo-Secularist concepts.

### **Blind following of western pattern of Agriculture and Animal Husbandry**

76. In order to organize the agriculture and animal husbandry on modern and scientific lines and taking steps for preserving and improving the breeds of cows and calves there has been blind following of the western countries without looking into the nature of our soil, size of our holdings, number of our people, the capacity of our bullocks etc and ignoring completely our traditional methods of farming. Mechanization of agriculture is bringing havoc to our farmers as well as to our agricultural labour. Use of chemical fertilizers and

pesticides on a massive scale has not only increased the cost of production but has also poisoned our soil, water and crops and caused health hazards to our people and the cattle. In order to 'improve' the productivity of our cows, they are being indiscriminately cross-bred, by artificial insemination, with semen of bulls of foreign breeds, such as Jersey and Holstein - Friesian. The foreign and cross- bred cows and calves are unable to tolerate the heat of summer in our country and their maintenance is very expensive. They eat at least double the quantity of fodder in comparison to our indigenous breeds. They bring with them many diseases not even heard of earlier in our country. They need regular care and medication. The quality of their milk is inferior to that of the indigenous breeds. The effects of medication are also there in the milk of foreign and mixed breeds. Their male calves have no humps and are not that capable of ploughing etc., as are those of our indigenous breeds, as they cannot carry the yoke.

**Allocation of "Cattle utilization and slaughter" to Animal Husbandry and Dairy Dept.**

77. The subject of 'Slaughter of Cattle' does not find a place either in any of the Lists of the VIIth Schedule of our Constitution. In the Allocation of Business Rules, 1961 item No.9, in conformity with item No. 15 of list II of VIIth schedule, provides for "Preservation, protection and improvement of stock": However, business allocated to the Department of Animal Husbandry and Dairying, as mentioned in the Annual Report for year 1994-95, provides for the subject "Cattle Utilization and Slaughter" without mentioning under which item of which List of VIIth schedule, it is covered. Like-wise, Cabinet Secretariat has also mentioned in the name of the Department of Animal Husbandry and Dairying, the allocation of business under item (12b) "Cattle Utilization and Slaughter".

**Licenses and Grants for establishing mechanical slaughter houses:**

78. Department of Animal Husbandry and Dairying of Govt. of India proposed vide its circular F. No.3.34/95/fin for establishing Abattoirs near 10 Air Fields used by Indian Air force, (Hindon, Gwalior, Ambala, Sirsa, Bareilly, Jodhpur, Tejpur, Adampur, Pune and Dundig), stating therein:

*The scheme is conceived as a Central Sector scheme on 100% grant basis to be provided to the local bodies Govt. undertaking and other autonomous or semi-autonomous organizations. The grants are intended to cover cost of land, buildings, plant and machinery and margin money for working capital. It is in contravention of the provisions of the Constitution of India and Sec.5 (qq) of the Air Craft Act 1934 which prescribes for the prohibition of slaughtering and flaying of animals and of depositing rubbish, filth and other polluted and obnoxious matter within a radius of 10 km from aerodrome reference point.*

79. Another circular No.18-60/92 Meat dated 16.9.93 issued by the Department of Animal Husbandry and Dairying provides that, for the slaughter house modernization improvement programme, 50% of the project capital cost will be provided by Department of AH&D and balance 50% to be arranged by State Government/meat Corporation / Municipal Corporation/ Municipal Council / Town area Committee / Gram Panchayats jointly or exclusively. The State Governments may also associate with the private meat trader(s) to provide for part contribution for allowing facilities for slaughtering of the traders' animals.

80. The Government of India is perpetuating mass-scale killing of innocent cattle in lakhs every day, as is evident by phenomenal increase in production of meat as revealed in the

Report of the Technical Committee of Direction for Improvement of Animal Husbandry and Dairying, Ministry of Agriculture.

	<u>1976 (Tones)</u>	<u>1992(Tones)</u>
Beef and Veal (Meat of Infant calves)	70,000	12,16,000
Buffalo	1,16,000	11,82,000
Mutton and Lamb	1,73,000	3,67,000
Goat	2,73,000	4,56,000

#### **Existence of large numbers of unlicensed and licensed slaughter houses**

81. The Hindustan Times of 9.4.1996 under the heading "Warning bells on cattle depletion" reports that nearly 70 per cent of the total livestock slaughtered in the country caters to the demands of the Middle East alone. The article is extracted below:

*"A recent report by the Union Ministry of Environment (MOE) claims that the massive illegal slaughtering of animals has posed a serious threat to their existence and there has been an alarming decrease of animal - human population ratio. According to the data, besides 32,000 illegal slaughter houses, there are 3600 licensed abattoirs in the country.*

*A senior official in the Ministry of Environment told the Hindustan Times that in 1991-92 the country had exported meat worth Rs.165 crores. The figure rose to Rs.285 crores in 1993-94 and by the turn of the century it is expected to cross Rs.1,000 crores. The money earned will be at the cost of the dwindling number of livestock, he pointed out.*

*The report states that the cattle human ratio came down from 430 animals per thousand human population in 1951 to 278 in 1981 and if the trend continues it could reach the alarming level of 20 per 1000 by year 2011. The report adds that the buffalo count which was 120 per thousand human population in 1951 came down to 100 in 1981 and will further decrease to 20 by 2011.*

*Criticizing the Government policy, a senior official in the Ministry of Environment said 'The Government was planning to kill more animals under the misconception that cattle population in the country was increasing'.*

*The official further stated that the Central Leather Research Institute, Chennai in its recent analysis mentioned that "indiscriminate slaughter of animals to meet the internal and export demand for meat all these have contributed to the low growth rate of animals".*

#### **Blind Eye to unlawful cow slaughter on Bakr-Id Day in West Bengal, Assam and Orissa**

82. Everybody knows that there is no mandate in the Quran or Hadees for 'Kurbani' of Cows on Bakar-Id. The Supreme Court in Mohammad Hanif Qureshi Vs. State of Bihar in

1958 (Supra) had held that the Muslims had no religious right to kill cows on Bakar-Id day. In spite of the verdict of the Apex Court, the Government of West Bengal had been providing exemption under Section 12 of the West Bengal Animal Slaughter Control Act 1955 for the Muslims to sacrifice (kill) the cows on Bakar-Id.

83. Shri Kedar Nath Bramachari and others filed a Writ Petition in 1971 against the State of West Bengal and others in the Calcutta High Court, seeking a withdrawal of the exemption from the provisions of the West Bengal legislation on cow slaughter, under which cows were being sacrificed on the occasion of Bakr- Id. The Petition was allowed on 20.8.82 and the High Court held that the exemption to slaughter the cows on Bakar-Id could not be given. The State of West Bengal and others filed appeal in the Supreme Court against the judgement of the Calcutta High Court. The Supreme Court, by its judgement dated 16.11.94, dismissed the appeal and upheld the order of the High Court. But the Government of West Bengal turned a deaf ear and defied the order of the Apex Court in order to appease the Muslims voters. Justice Guman Mal Lodha, M.P. then raised a question in the Parliament asking why, while B.J.P. Government in U.P. could be dismissed for not complying with the order of the Supreme Court in Ayodhya matter, why was the Government of West Bengal not being dismissed for an identical default in West Bengal? The Communist MPs assured the Parliament that the order of the Apex Court would be complied with. The assurance proved to be an eyewash and no action has been taken by the Central Government against the Government of West Bengal in spite of contravention of laws and defying the order of the Apex Court. (Source: "Our Cattle Preservation Laws and the Role of the Government" – Paramanand Mittal)

84. For clearing and steering clear through this situation of being on the horns of a dilemma, we feel persuaded to remind the Government about what words of praise, renowned world scholars have to say about our ancient rich heritage of cow worship, doctrine of Ahimsa and compassion for all animals. It was perhaps due to this rich heritage that, Smt. Indira Gandhi, got Art. 51(g) enacted as a fundamental duty of Indian Citizens, by amending the Constitution in 1976. This was also what led J.P. and Morarji Bhai to join Vinoba Bhave in the crusade to put a total Ban on Slaughter of Cows. J.P.'s letter to Jyoti Basu is annexed and marked in Annexure-12 at Page No.113 (?) in speech of G.M. Lodha in Loksabha.

85. One of the first Englishmen to visit India, Mr. Ralph Fitch astonished the world by his discovery that the Indians worship cow and used cow dung to paint the wall of their houses. He told the world that the Indians eat root, rice and milk. They will give meal to the ants.

86. According to Mr. Deryck O. Lordrick, a research scholar of California University, no where in the world except in India does man and animal come together in such a rich diversified agricultural environment. This Research Scholar mentioned that Goshalas, which are homes for aged or infirm cattle, and pinjrapoles (animal refuges or shelters) are the expressions of the Indian religious concept of Ahimsa or non-violence to the living creatures, which have baffled European observers since the time of Marco Polo. He highlighted the Jain Teaching of "Ahimsa Paramo Dharma – Ahimsa is the greatest of religions." in the preface of his book entiteled "Sacred Cows. Sacred Places".

87. It is interesting that this English Scholar from California University came to India for research and a comprehensive study on Goshalas and Pinjrapoles. His investigations continued in India where, as part of a doctorate study programme, he spent the period

from January 1974 to September, 1975 conducting field research, supported by a Research Fellowship awarded by the American Institute of Indian Studies and got affiliated with Banaras Hindu University and Ahmedabad University. He was associated with Dr. A.B. Mukerji of the University of Punjab at Chandigarh and Dr. Harjivan Suthar of Gujarat University at Ahmedabad. He found that the cow is worshipped at various festivals and the bulls of Shiva are suffered to roam in the streets unmolested.

88. Use of "*Panchagavya*", in which this Commission is now finding a radical change due to cow urine and cow dung revolution, and which is being promoted in a programme launched in 1998 by the Animal Welfare Board of India, under the Chairmanship of Justice Guman Mal Lodha, gets recognition in this research of Mr. Lodrick.

89. In the words of Mr. Deryck O. Lodrick, "Cow's milk is used in temple ritual, while to *Panchagavya* the five products of the cow (milk, curd, ghee, urine and dung) are **ascribed certain magical and medicinal properties**. Cow dung is used in the home for the ritual purification of the heart. Most high-caste Hindus will not countenance even the slaughtering of cows, let alone the eating of beef." According to him, as a result, the cow has been a traditional focus of communal discord between Hindu and Muslim fundamentalists ever since the arrival of Islam in India.

90. He also states that "More recently the cow protection movement in India and the legislating of anti-slaughter laws in various states have brought the issue out of the realm of folk culture and religion and into the modern political arena, with demands from traditionalists for a total ban on slaughter throughout the country. In April, 1979, for instance, **Acharya Vinoba Bhave**, a much respected Social reformer, the Champion of Bhoodaan movement and spiritual heir to **Mahatma Gandhi**, went on a hunger strike to pressure the Central Government into imposing a nationwide ban on cow slaughter in India. At first Prime Minister Morarji Desai claimed to be helpless, arguing that anti-slaughter legislation lay within the realm of the States powers and not that of the Delhi Government, but such was the popular outcry to support of the Acharya that Desai was forced to intervene. Only after Bhave was assured by the Prime Minister that the Central Government would push for a national ban on the slaughter of cattle with all possible speed did he break his five day fast."

91. His finding is that "cattle play a much wider role in the life of India, the repercussions of which are far-reaching. To many Hindus, the cow is not just an animal to be exploited economically but is viewed with a reverence and respect normally reserved for the senior members of one's own family, or even for the lesser gods of the Hindu pantheon. Indeed the extent to which reverence for the cow in particular and cattle in general is carried can be seen in Hindu religion and mythology. The bull in the form of Nandi, for example, is the sacred vehicle of Shiva, the Destroyer of the Hindu Trinity, and is found at the entrance to all Shiva Temples throughout the land. The bull is also linked with other Hindu Gods, such as Dyaus, Agni, Rudra and Indra, Krishna is represented as the 'cowherd' god, and many of the tales and legends of his life pursue this motif, linking him to the cow and pastoral settings. The cow, itself a symbol of fertility, figures prominently in Hindu myth and legend, appearing as Surabhi, the mother of all cows, as Kamdhenu, the cow that grants all desires, or as the home of all the gods save one, Lakshmi, who finding no space remaining in the body of the cow is forced to take up her abode in its dung. The existence of *goloka*, the place of the cows, which ranks above the heavens of mere gods and mortals, the primeval ocean of milk which is churned by gods and demons, the frequent allusions to the cow in

the sacred literature-all attest to the prominent position of the cow in the religious life of India."

92. Lordrick concludes that: "religious associations with cattle go back several thousand years, and Eduard Hahn suggests that these very associations provided the initial stimulus for the domestication of cattle by man. As early as 8500 B.P. the Southern Turkey that provides one of the first instances of cattle depicted in a specifically religious context. Bull cults may well have diffused throughout the eastern Mediterranean lands".

93. The researcher finds great similarity in cow worship by Egyptians and Indians when he discovers that: "various sky and storm gods in Mesopotamia, Egypt and the Levant as a bull, often as consort to a Mother Goddess, has its counterpart in the association of the bull with Dyaus, Rudra, and Indra in Vedic India.

94. According to Mr. Deryck O. Lodrick, "the cow emerges as the symbol of a female deity. In pre-Dynastic Egypt, the Mother Goddess, regarded by some as one of the most important deities of the time, is identified with the cow on Nagada remains, one of her standards being cow horns mounted on sticks originally worshipped in the form of a cow as a fertility symbol, came to be linked with the Sky-Goddess not assuming the body of the celestial cow. In this dual capacity of sky-goddess and cow goddess, she exercised her maternal functions from the Gerzean phase of the Predynastic epoch to the beginning of the Roman period in due course becoming identified with all the local goddesses and the heavens in their entirety at once the mother and wife of Re and Horus, the 'mistress of the stars', the lady of the West and of the underworld, the goddess of love of music and the sacred dance". (Egyptians worshipping Cow Goddess as depicted in the Sculpture of Egypt is annexed in **Annexure I (6)**).

95. We also find reverence for the Cow as mother Goddess in his following findings.

*"Cattle or herds of cattle or the products of the cow are the standard items mentioned in descriptions of wealth. Cattle constituted the great booty in war. No other animal was so much appreciated for its **economic value**".*

96. Referring to the Vedic period, the author says about the importance of cow as follows:

*"Of equal, if not of greater, importance is the emergence during the Vedic period of the cow as the Supreme Symbol of femininity in all its aspects of fecundity, maternity and life-giving sustenance. The cow is Earth; the cow is the mother of the gods; cows are rain clouds; cow are the cosmic waters from which the universe is created. So pervasive is the pastoral symbolism in the Vedas, so widespread the figurative use of the word cow, that eventually it comes to be taken literally"*

97. A unique discovery of this researcher is that "Jains" first innovated "Pinjrapoles" or homes for old and infirm cows, in the beginning of Eighth Century. Mr.Deryck O. Lordrick's finding is that the Pinjrapoles have been existing before Buddha. He says that "Thus although available evidence places the first Pinjrapoles in the reign of the Buddhist, Ashoka, the institutions **could well have existed among the Jains at an earlier time**. The persistent Jain, and apparent lack of Buddhist, involvement with the institution in modern India, the central position of Ahimsa in Jain philosophy and its **appearance in Jainism as early as the beginning of the eighth century B.C. would all tend to support this point of view**".

98. According to Mr. Deryck O. Lordrick, "the Arthasastra did impose certain restrictions on the injury and slaughter of some cattle. Cattle such as a calf, a bull or a milch cow shall not be slaughtered. He who slaughters or tortures them to death shall be fined 50 anas. Owners of trespassing cattle could be fined and the guilty animals driven off, but they were not to be hurt or killed. But most important of all is the discussion in the **Arthasastra of the duties of the Superintendent of cows (Godyaksa) for these include the supervision of useless and abandoned herds (bhagnotsrshtakam)**. When those who rear a hundred heads made up of equal numbers each of afflicted cattle, crippled cattle, cattle that cannot be milked by anyone but the accustomed person, cattle that are not easily milked, and cattle that kill their own calves, give in return (to the owner) a share in dairy produce, it is termed useless and abandoned herd. Further cowherds were directed to apply remedies to calves and to aged and diseased cows".

99. Just as the sanctity and inviolability of the cow were used as a Hindu symbol to combat the spread of Invaders and as a rallying cry for Maratha resistance against Moghul power, so the concepts of Ahimsa and of the sacred cow were identified with the struggle against Western influence in India. One reason advanced for the emergence of Goshalas and pinjrapoles at this time was the imperial Government's lack of interest in the protection and preservation of the cow.

100. Mr. Deryck O. Lordrick of California University concludes as under:

*"As in Moghul India, the cow and attitudes toward the cow became associated with conflicting cultures, so much so that the traditional Hindu respect and reverence for the cow became a cause celebre in the nationalist movement. Just as Khadi and the Gandhi cap identified the wearer as a sympathizer with the nationalist cause, so veneration of the cow became the sine qua non for those who supported independence from the British. **Gomata, Mother Cow** became the emblem of "Indianness" and it is not surprising to find today that the symbol of the Congress Party, the successor to the Indian National Congress, is the cow and sucking calf."*

### Plight of the Cow in modern India

101. As a symbol of the then Congress Ruling Party, the pair of bullocks ploughing in the field represented the general acceptance, even though it may have been under the influence of Pseudo-Secularism, that 85% of the Indian population employed in agriculture, cultivated their fields by use of bullocks. The tractor and chemical fertilizer invasion to which the Indian economists and national leaders surrendered, in the name of the Green Revolution, wiped off and gave a death blow to the cows and bullocks, making them 'uneconomic' from 'economic' and 'useless' from 'useful'.

102. After more than 50 years of Independence or Swaraj, the beloved cow and its progeny, which is being slaughtered under the license of 3500 legal and 34000 illegal slaughter houses and abattoirs could not be saved from the clutches of the blood-thirsty butchers and leather mafia. The tales of woe and tragedy, of flowing of rivers of the blood of the cow, is too heart-rending, Society-rocking, Nation-shocking, Nerve-breaking, Constitution and Law racking and cracking. The sacred land where '**Gomata**' used to be worshipped as the real mother and also as '**Bharat Mata**' by patriots and worshippers, Gods, saints, like Sri Rama, Krishna, Siva, Mahavira, Guru Nanak, Buddha, Asoka, Vinoba Bhave, Sankaracharya, Hardev Sahay, Shivaji and others, has become most unsacred and sinful by this.



103. Around one hundred worshipers of the cow laid down their lives in 1966, during the agitation seeking for total ban on cow slaughter in Parliament Street, Delhi, when they were shot down for raising slogans like “Gomata ki Jai” They were all aching for rebirth to achieve their objects. But, so far, neither have they got rebirth nor achieved the total ban on cow slaughter, with the result that about 2 crores of cows, bulls, bullocks and cow-calves continue to be slaughtered in India every year.

104. The National Commission on Cattle has been constituted by the Hon’ble Prime Minister, A.B. Vajpayee, who adorns the highest office in the land, with the support of 100 crores of Indian souls. His strong will, burning desire and firm determination is to wipe of every blot of blood of the cow and its progeny and every tear from the eyes of the Holy Cow, who faces the knife of the butchers on her neck, instead of getting pats from Lord Krishna, Rama, Mahavira, Gandhi and Vinoba Bhave and restore the piousness of the sacred waters of Ganga, Yamuna, Saraswathi, Kaveri and Brahmaputra and not to pollute them with cows’ blood any more.

105. The Commission recollects the following historical and memorable pledge of the Vajpayee Government, as reflected in the speech of His Excellency, the President of India, Shri Shankardayal Sharma, made in the Central Hall of Parliament on 25.5.1996, while addressing both Houses of Parliament:

**“Our Government would take suitable steps to prohibit slaughter of cow and its progeny and for their preservation”.**

106. The Constituent Assembly debates, which resulted in the enactment of Article 48 as a Directive Principle was further supplemented later by inclusion of Article 51 (g) in the Fundamental Duties which reads thus: ***“It shall be the fundamental duty of every citizen of India to protect and improve the Natural Environment, including forests, lakes, rivers and wildlife and to have Compassion for all living creatures”***. The amendment was done in 1976 and Article 48A was added by amendment in the year 1977.

107. In the debate in the Lok Sabha, mentioned earlier, in which, despite a consensus for passing a Central Law banning the slaughter of cow and its progeny, the proposal was vetoed by the then Prime Minister, Pandit Jawarharlal Nehru, the then Attorney General was made to inform the Parliament that a Central Law could not be made, as Agriculture and Animal Husbandry were State Subjects. Other attempts to get the legislation through were also thwarted. In particular, one may mention the instance when, within a period of one year from Vinobaji’s 5-day hunger strike, a Resolution was passed on a Private Member’s Bill on 12<sup>th</sup> April, 1979, which was limited to the scope of Article 48, which meant that the issue of total ban on slaughter of the cow and its progeny was not included in it.

108. In 1990, a Private Member’s Bill was introduced by Justice G.M. Lodha of B.J.P. as Bill No.82/90 - Annexure I (7), which was followed by Resolution dated 24<sup>th</sup> April, 1990, copy at Annex I (8), put up by Justice Lodha, which was debated from 4<sup>th</sup> May, 1990 onwards.

109. On 17<sup>th</sup> August 1990, the Resolution of Justice Guman Mal Lodha, strongly supported by party President, Shri L.K. Advani, as well as by the Congress Members, was passed by voting by electronic machine, with 37 persons supporting it and 35 against. At that time, the

voting took place although Shri Nitish Kumar, the then Agriculture Minister, while appreciating the sentiments behind the Resolution, requested that it be withdrawn. However, Shri Advani, who was the Leader of the BJP in the Lok Sabha, insisted that voting must take place and the Resolution must be adopted.

110. However, after the Resolution was passed, Shri V.P. Singh's Government, which was not prepared to face defeat on the floor of the House, insisted on a physical count, on the pretext that the margin was very small. Mr. Vasanth Sathe, wholeheartedly supported the BJP Resolution officially on behalf of the Congress. But due to the maneuvering of change of opinion in the slips given for head count by Shri Shivraj Patil, the Resolution was rejected due to the change of opinion of some of the Janata Party leaders. A press clipping of the news item in the Times of India dated 17<sup>th</sup> August 1990 is annexed as **Annex I (9)**.

111. It is interesting to note that those Members, who supported the slaughter prohibition earlier, changed their opinion later, when it came to voting by slip voting. The lists of the results of the final slip voting are annexed as **Annexure I (10)**. It can be seen that Shri Bage Gobardhan (Orissa), Shri Yuvaraj (Bihar), Shri Het Ram (Haryana), Prof. S.P. Yadav (U.P.), Shri Mandhata Singh (U.P.), Shri A.N. Singh Deo (Orissa), Shri Ramendra Kumar Ravi Yadav (Bihar), Shri Ram Sharan (Orissa), Shri Bhabani Shanker Hota, Shri Ravi Narajan Pani (Orissa), Shri Bangali Singh (U.P.), Shri Sarvar Hussain (U.P.), Shri Ram Naresh Singh (Bihar) and Shri Hira Bhai (Rajasthan) - all belonging to the Janata Dal - who had earlier supported the Resolution, changed their voting by slip to save the Government of V.P. Singh. The land-mark and historical speech of Justice Guman Mal Lodha is enclosed herewith and marked as **Annex I (11)**.

112. Soon after, Shri Sunderlal Patwa, the then Chief Minister of Madhya Pradesh, got a legislation passed in the State for total ban on cow slaughter and he was honoured for it. A similar attempt was made by the Gujarat Chief Minister, Chimanbhai Patel, after the murder of an activist Geetaben Shah in 1993. Shri Patel got a resolution passed and issued an ordinance banning cow slaughter. Administrative orders were also issued, banning the slaughter of all animals during the 10-day Jain festival of Paryushan. The Gujarat Government also launched a State-wide drive against illegal slaughter houses. All these actions were opposed by the butchers, who were the killers of animal activists like Geetaben Shah.

113. The U.P. Government made a similar attempt in 1992. However, the proposed legislation is still pending before the President for his approval. Press clipping of the news-item in this connection is marked as **Annex I (12)**.

114. As mentioned earlier, the martyrdom of Gitaben at Ahmedabad resulted in Chimanbhai Government passing legislation for a complete ban on 3<sup>rd</sup> October, 1993. (Paper clipping is annexed herewith as **Annex I (13)**).

115. The Maharashtra Animal Preservation (Amendment) Bill 1995 banning slaughter of cow and its progeny was also passed by the Assembly on 10<sup>th</sup> Aug. 1995. Press news appeared in Hindustan Times dated 11<sup>th</sup> Aug. 1995 is enclosed herewith and marked as **Annex I (14)**.

116. The Supreme Court passed its Judgement on 16<sup>th</sup> Nov. 1994 by which the killing of cows as sacrifice during the festival Bakri Id was banned by a Bench comprising of Justice

Mr. Kuldip Singh, Mr. Justice B.L. Hansaria and Justice Mr. Justice S.BV. Majumdar. (A copy of the press clipping is enclosed herewith and marked as **Annex I (15)**).

117. The Delhi Government has already enforced a total ban on slaughter of Cow and its progeny by passing the Delhi Agricultural Cattle Preservation Bill, 1994 (Press Clipping is enclosed herewith and marked as **Annex I (16)**).

#### **Views of opponents of ban on cow slaughter**

118. The Leftist press in Calcutta, influenced by the CPM party, however, opposed the move, for a ban on cow slaughter, as is evident from the article from the Telegraph, Calcutta dated 14<sup>th</sup> Aug. 1994 at **Annex I (17)**. Similarly, the Urdu Press in a Convention / Seminar opposed it as mentioned in the Pioneer, New Delhi dated 3<sup>rd</sup> May, 1994, as per the clipping enclosed herewith and marked as **Annex I (18)**.

119. The CPM Member of Parliament, Mr. Saifuddin Choudhury, who is dead against the ban on slaughtering of cow has written an Article "*Why This preferential treatment for cows?*", which is enclosed as **Annex I (19)**.

120. The Leftist party of CPM at Calcutta even took exception to the passing of the Ordinance of the Chimanbhai Government in Gujarat for protection of cow and its progeny and Mr. Arvind Kala of Calcutta wrote under the caption "*Vegetarian fundamentalists put the lives of cattle over those of humans*" and the same was highlighted in Telegraph of Calcutta dated 10<sup>th</sup> Oct. 1993. He termed it as "Vegetarian Madness" also - **Annex I (20)**.

121. It would be thus seen that, although Members of Parliament, Mr. Krishan Lal Sharma, Dr. Balram Jakhar, Shri Aravind Netam, Shri Vishnu Kant Shastri and Dr. Riplar Das Gupta drew attention to the Directive Principles and argued for banning slaughter of cow and its progeny in the Unstarred Question No.364, answered on 28.4.1995, and a similar question (No.1121) put by Shri Parashuram Gangwar, Chandresh Patel Kordia and various others, the Leftist and fundamentalist Muslims dominated the Press continuously and opposed the ban and did not make any reconciliation in this respect.

#### **Constitutional hurdles and impediments for a total ban on cow slaughter**

122. As mentioned earlier, in 1977, Dr. Ramjeet Singh got a Resolution passed in the Lok Sabha for banning cow slaughter in terms of Article 48. However, the Bill introduced by Seth Govind Das in this regard could not be passed, due to Panditji's VETO.

123. In view of the above, in 1996, Justice Guman Mal Lodha, M.P., again insisted on the introduction of a Resolution and a Bill for having a complete ban on slaughter of the cow and its progeny. At the beginning of the Session, President, Dr. Shankar Dayal Sharma in his speech on 25<sup>th</sup> May, 1996 declared the Government's intention to prohibit the slaughter of cow and its progeny, but later on, even the vote of thanks on the President's speech to both Houses of Parliament could not be passed. A copy of the verbatim proceedings at the debate on the President's speech is annexed at **Annex I (21)**.

124. We are, therefore, now confronted with a situation where constitutional hurdles and impediments have been created by a series of court judgements, including the Supreme Court judgement in the case of Mohd. Hanif Qureshi Vs. State of Bihar, the latest being the

case of Hashumatullah Vs. State of M.P. and others (Civil Appeal No.8250 of 1996). In the judgements in the cases of Mohd. Hanif Quresh and others Vs. State of Bihar (AIR 1959 SCR 629), Abdul Hakim and others Vs. State of Bihar (AIR 1961 SC 448) and Mohd. Faruk Vs. State of Madhya Pradesh and others (1970 (1) SCR 1456), the Supreme Court has held as under:

***"A total ban was not permissible if, under economic conditions, keeping useless bull or bullock be a burden on the society and therefore not in the public interest."***

125. To overcome the above Judgements, the Animal Welfare Board of India **submitted a Memorandum to the Constitution Review Commission headed by Justice Venkatachalliah**, recommending amendment of the Fundamental Rights Chapter, to include a total prohibition on the slaughter of cow and its progeny, but this was in vain. The Commission simply ignored this representation and gave no opinion. The Chairman of the Constitution Review Commission, in a personal meeting with NCC Acting Chairman, appreciated the idea and even accepted that **"Cow dung and Urine"** utilization which he has seen in Haryana Ladwa Goshala has proved that cow is never useless. A copy of the Memorandum presented by the Chairman, Animal Welfare Board of India, Justice Guman Mal Lodha, who is also Vice Chairman and Acting Chairman of the National Commission on Cattle is at **Annex I (22)**.

126. The fact that the Constitution Review Commission did not bother to express any opinion on the Memorandum, submitted by the Chairman, AWBI, may be because they were concerned more about the Government, democratic functioning and the Constitutional implications of the no-confidence moves against parties in power in the Centre, because of the earlier defeat, by one vote, of Prime Minister Atal Bihari Vajpayee's Government and the later failure of the Opposition to form an alternative Government.

127. It is obvious that cattle do not have any lobbies. The cow is a speechless, harmless, and dumb animal, which is not even recognized as having a soul in the early Biblical belief and also others, who are sacrificing it on Bakri Id. The greedy Hindus, who are in the leather business or in the cow-smuggling business, prefer money-cow to Mother-cow, and they are the worst enemies of **"Mother Cow"**.

128. The sacred and pious cow has, therefore, become a victim. In spite of the fact that, out of the 100 crore strong human population of India, at least 80-90 crores, treat it as **"mother cow"**, pious cow, holy cow; they have not yet mustered up enough courage to unite and raise the issues of banning of slaughter and eating of cow flesh, beef, which is prevalent in the State of Kerala, and in Eastern States, including West Bengal, to a limited extent.

129. The National Commission on Cattle has, therefore, surveyed and taken the opinion of people throughout the country, by having an extensive and intensive tour of importance places in all the States. At least 2 to 3 important towns and cities in each State, and some villages have been visited, so that the Members could inter-act with people and obtain first-hand information on the public views, Govt. records and opinion. It is heartening to note that, by and large, almost all have pleaded for a total ban on slaughter of cow and its progeny. The isolated voices of hardly 2 to 4 persons were heard in support of mercy killing of cow, suffering from illness or starvation. Of course, the Kerala and North Eastern

microscopic minority refuses to fall in the mainstream of the Country and have raised their voices in dissent.

130. The scenario regarding the perception of people of this country, over the problem of cattle as of now in the 21<sup>st</sup> century, also required in-depth study. The Commission has done it both by sending questionnaires and obtaining their replies and holding hearings of public, as well as conducting meetings with Government Officers related with the subject.

#### **Region-based perceptions on the cow question**

131. Broadly speaking, the North and Western States of Punjab, Haryana, Himachal Pradesh, Delhi, Uttar Pradesh, Rajasthan, Madhya Pradesh, Gujarat, Western Bihar, Maharashtra can be treated as the famous historical "**cow belt**". Our public hearings and also interactions in meetings with Government Officers in these States and their replies to our questionnaires, as well as the legislations enacted, reveal that all these States have strong public opinion, supporting a total ban on slaughter of cow and its progeny, as a whole, with no exceptions. It is significant that even the laws of some of these States have been enacted time and again for the same but the total ban has been declared ultravires, right from 1958 Mohammed Qureshi's case till the last one of Hashmathullah's case for the period 1958-1996. In M.P., U.P., Bihar and other States the ban has been held valid only on cow slaughter. However, the laws of Rajasthan, Delhi, Himachal Pradesh, Haryana, Punjab and Jammu and Kashmir are still remaining intact imposing a total prohibition of slaughter of cow and its progeny. In States, like M.P. and U.P., efforts have been made, at least twice or thrice, by the legislators, mostly unanimously, to impose a total ban.

132. The Eastern States of Bengal, Orissa, areas of Bihar and Jharkhand adjoining Bengal and Orissa, Assam and the North Eastern States like Meghalaya, Nagaland, Manipur, Tripura, Arunachal Pradesh, etc., have got different perceptions, both of the Government and the people. So far as the people are concerned, even in Bihar and Orissa, Jharkhand and West Bengal, the majority community at all places have got strong sentiments and feeling of cow as the mother and not permitting it for slaughter. However, the scenario in North Eastern States is different, which is dominated by Christians and other communities.

133. The slaughter of cows on the occasion of Bakrid in West Bengal is described in detail in the chapter on Implementation of Laws by the Sub-Committee, convened by Shri K.C. Mehta. The report, along with a separate report by Shri Jaroli and other consultant, gives a graphic description of the Bakrid massacres. This perception has to be kept in view. While considering the question of Central Laws or Constitutional amendments would help to compel these State Governments but the problems arising from majority massive mandate will have to be assessed in terms of country's unity and sentiments and the vast majority of people, who are opposed by a handful of misguided microscopic minority of fundamentalists.

134. During the hearing at Bhubaneswar, Orissa, a shocking incident was noticed by the Commission. It was discovered that cow beef was being supplied daily to the Government-run Zoo for the past many years together by professional butchers, for which tenders were floated by the Zoo officials. The Commission's visit to the spot resulted in the arrest of the butchers and other involved, who were caught redhanded. It would appear that the laws in Orissa are on paper only. The defence put forth by the Collector at the Public hearing at Cuttack, held immediately after the above incident, when it was stated that they had to

ignore such incidents for the reason that it would otherwise create a "**social problem**", was another eye opener.

135. Similarly, in Jharkhand, in a public hearing, a retired Superintendent of Police said that the police officials could not take action for cow protection because they feared that the cow slaughter Mafia would kill their families and the Government would not be able to help and protect them. Even an appeal was made to the Chief Minister, who tried to avoid this issue on the ground that confrontation is not advisable and the Police and Government and other agencies may not be enthusiastic for cow protection as there is coalition.

136. If we turn to the Southern States of Andhra Pradesh, Tamil Nadu and Karnataka, we find that the public sentiments and feelings of around 85 per cent to 90 per cent of the people, support cow slaughter prohibition. The Governments of these States are not enthusiastic, mainly because of what they call as "**social problems**", which is really the problem of appeasing minorities fundamentalists by permitting them to violate the laws in respect of cattle prohibition.

137. The Public hearings at these places reveal that the people do not share their views with the Government. In public hearings almost 100 per cent people were in favour of total prohibition of cow slaughter. But the Government officers and the political leaders expressed their helplessness to enforce the laws made by them, on the innovated ground of '**social problem**'.

138. The State of Kerala of course is different from other States. Here, there is no law, whatsoever, prohibiting the slaughter of any cattle and even cows and calves are openly slaughtered on mass-scale. The State of Kerala can be termed as the 'Cow Slaughter State', where the main business in the market is slaughter of cattle and sale of beef. It is for this reason that other States get rid of their cattle by allowing them to be smuggled to Kerala.

139. If we look at the total scenario of the country, therefore, we find that, whereas almost 85% to 95% of the majority community and 60 to 70% of the minority communities, support the cow protection laws, an insignificant microscopic minority of the population is against it. Even in the segment, of people who are against a total ban, most of them oppose it due to commercial reasons of smuggling of cow and for its leather and beef. Yet another reason is that many people belonging to the minority community are misguided by fundamentalists, who have made it a prestige issue more to tease the majority rather than having the genuine need of eating beef.

140. Sizable numbers of Hindus in Kerala also join their Muslim and Christian brothers and have started eating beef. Our public hearing on 24.6.2002 at Kochi revealed that a vast majority of people are beef-eaters and many earn their livelihood mainly from the "Beef" production and cattle-slaughter trade and smuggling of cattle. That this should happen in the birth place of Adi Shankaracharya is most unfortunate and only proves that nothing is static and permanent and that perceptions change with times and circumstances.

141. There was general apathy to the Commission in Kerala and only 30 to 40 persons attended the public hearing at Thiruvananthapuram. When those who were in support of total prohibition of cow slaughter were asked to raise their hands, it was found that only one

person wanted partial prohibition, and all the remaining persons were against enactment of any law whatsoever. What was surprising was that 40% of the audience were ladies, who were against any law and apparently wanted “Kerala” to be “Free port Zone” Paradise for slaughter of the cow and its progeny, and a picnic spot for “Beef” eaters. The Commission learnt to its surprise that most of the people present, were actually employees of the Animal Husbandry Department of Kerala on duty in the Commission’s public hearing in the Capital of the State and the members of the general public were mostly absent.

142. A study of the demographic profile of Kerala shows that its human population of around 32.35 million constitutes 3.25% of the total population of India, Indian population of 1002.1m. Its cattle population is 33,66,000 i.e. 1.72% of Indian Cattle population of 19,58,30,000.

143. Amongst the human population of Kerala, approximately 52% are Hindus, 28% are Christians and 20% are Muslims. It is estimated that a sizeable percentage of the Hindu population and almost all persons belonging to the Scheduled Castes, Scheduled Tribes and other backward classes of the population, are beef-eaters, mainly due to poverty. Almost all Christians and Muslims are thought to be “Beef-eaters”. Many of them indulge in smuggling and sale of cattle for slaughter. The State is a virtual slaughter house and the State appears to feel privileged to be known as the “Butcher State of India.” Kerala gets support only in Nagaland, Mizoram and other small North Eastern States, inhabited mostly by Christians.

144. On 4<sup>th</sup> December, 1969, the then Agriculture State Minister, in reply to a Question in Parliament, put by Shri Atal Behari Vajpayee, present Prime Minister and then M.P., Surajbhan, Yagyadutt Sharma and Jaganata Rao Joshi (all J.S. MPs), replied that Kerala, Nagaland, Goa, Laksh Dweep and Daman have not prohibited cow slaughter but the Government of India has advised them to do so.

145. Even in Kerala, there are Panchayat Slaughter House Rules, which permit the slaughter only if it is certified that the animal is more than 10 years of age and is unfit for work or breeding. However, the Commission found that, in actual practice, the above rule is non-functional in Kerala.

### **Trends in cattle population growth**

146. The figures of livestock population of India growth patterns thereof, for the period 1951 to 1992, as given in Tables 30 and 31 respectively of Basic Animal Husbandry Statistics, 1999, published by the Department of Animal Husbandry and Dairying, Ministry of Agriculture, Government of India are enclosed as **Annexure I (23)**. It may be noted from Table 31 that the average annual growth rate of cattle has been consistently amongst the lowest, when compared to growth rates of other species of livestock, except for the period 1956-61, when it was not quite so low. During 1987-1992, the annual growth rate of cattle was 0.48%, whereas that of buffaloes was 2.09% in the same period.

147. The comparative figures of cattle population and their distribution in 1987 and 1992 are given in Table 32 of Basic Animal Husbandry Statistics - placed at **Annexure I (24)** - from which it can be seen that, while there has been an average annual growth of 5.92% in cross-bred cattle in the period 1987 to 1992, the number of indigenous cattle has grown only by 0.12% during the same period. The total cattle population in 1992 has been shown

as 20,45,84,000, as against a population of 19,96,95,000, which reflects an average annual growth rate of only 0.48 per cent during the period 1987-1992.

148. The Sex-wise and State-wise distribution, in 1987 and 1992, of cross-bred and indigenous cattle, as shown in Tables 35 and 36 respectively of Basic Animal Husbandry Statistics, 1999 are placed at **Annexure I (25)** and **Annexure I (26)** respectively. The State-wise distribution of population of Work Animals, as given in Table No.41 of Basic Animal Husbandry Statistics, 1999 is placed at **Annexure I (27)**.

149. The official results of the 1997 Livestock Census are still not available. However, a comparative statement showing the provisional figures of State-wise distribution of cattle population in 1992 and 1997 is placed at **Annexure I (28)**. It would be seen that the cattle population, which numbered 20,45,84,000 in the year 1992 has **actually decreased** to the figure of 19,58,30,000 cattle in 1997. For the first time, therefore, since 1951, there has **been a negative growth** in the cattle population of the country, which is indeed a cause for great alarm, and should sound warning bells for our policy-makers and the population at large.

150. On perusal of the provisional figures, provided in Annexure 30, we find that the States of Andhra Pradesh, Karnataka and Kerala show a negative growth or decrease in the population of cattle during the period 1992-97. This shows that there is large-scale slaughter and smuggling of cattle for slaughter during these years in these stated.

151. Figures of World Livestock Population during the years 1990 to 1997, as given in Table 103 of Basic Animal Husbandry Statistics, 1999, which is marked as **Annexure I (29)**, shows that the number of cattle has gone up from 1284.6 million in 1990 to 1333.6 million in 1997, which signifies an average annual growth rate of 0.54%. On the other hand, the world population of buffaloes has increased from 146.1 million in 1990 to 166.7 million in 1997, which is an annual increase of 2% approximately.

152. Estimates of the total Milk production in the World during the period 1985 to 1997 is shown in Table No.104 of Basic Animal Husbandry Statistics, 1999 is also given in **Annexure I (29)**. From this, it can be seen that, cow milk production in 1997 was 471.8 million tonnes, which constituted 86.3% of the total milk produced in the world, whereas the production of buffalo milk was of the order of 55.9 million tonnes, accounting for 10.2% of the total world milk production.

153. The production of cow milk by major countries of the world 1992-97 is shown in Table No.105 of Basic Animal Husbandry Statistics, 1999 marked as **Annexure I (30)**. It is seen from the table that, in 1997, India produced 7.3 per cent and the U.S.A. produces 15.1 per cent of the total milk production in the world. Of course, India has since overtaken the USA, to become the number one producer of milk in the world.

154. An estimated One crore thirty seven lakh eighty seven thousand cattle, out of over 21 crore cattle, were slaughtered in India in 1998, as shown in Table 29 of Basic Animal Husbandry Statistics 1999, placed at **Annexure I (31)**. Beef & Veal meat production, which was 70 thousand tonnes in 1976, increased to Thirteen lakh seventy eight thousand tons in 1997, in spite of the BAN & prohibition of slaughter of cow and calf in almost all States, except Kerala and North Eastern small states. Table 27 of Basic Animal Husbandry Statistics, 1999, showing the quantities of meat of various animals produced in the country from 1976 to 1997 is annexed herewith and marked as **Annexure I (32)**.



155. The Meat Sector lobby projects that a loss of Rs.21900 crores and Rs.828 crores from meat production and 2232 crores from by-products (hide and skins) respectively, will take place if the slaughter of cattle is stopped. This threat of loss of income is utilized for floating proposals for flooding the country with rural abattoirs, as suggested by the XI Panel on Meat Sector of the Working Group on Animal Husbandry set up by the Planning Commission for Tenth Plan proposals. The recommendations of this Panel have sent red alert signals to all “Swadeshi”, cow lovers and animal activists.

#### Views of the Chairman

156. The N.C.C. Chairman, Shri Dharampal feels that there is an urgent need to abandon the proposals of the “Meat Sector” Panel for flooding the country with Abattoirs, for setting up “Rural Slaughter Houses” in each village and for abrogating laws of cattle production and buffalo protection, to increase the production and exports of meat including Beef. He has pleaded for total stoppage of export of Meat of all kinds from India and also the import of Meat into India.

157. Though it would, in many places, be a repetition of what I have already mentioned, out of respect for the Chairman, I am reproducing his views on this subject, which are as follows:

*“Nineteenth century India, fully dominated and conquered by the British, was, amongst other things, also a major playground for the display of the benefits and virtues of animal slaughter and consumption of animal flesh. Starting from Madras and Calcutta in the late 18<sup>th</sup> Century AD, propagation of meat eating was taken up by the British, especially the Protestant Christian Missionaries to every nook and corner of India. Even the boy, Mohandas Karamchand Gandhi (later known as Mahatma Gandhi) did not wholly escape this great European boon. As he tells us in his “A Story of My Experiments with Truth”, he and other boys of his age were day in and day out told of the great physical strength derived from eating animal flesh, and compared to the puny Indian, the meat eating Englishman was a giant, and it was this meat eating which made him capable of dominating and conquering India. However, as Gandhiji tells us, he and very many others of his friends were able to escape the pressures and temptations put before them, because of the long continuing vegetarian **parampara** and **vaishnav** up-brining of their ancient communities.*

*It is not as if Indians are not given to the eating of fish, or of a variety of animal flesh. Excepting the flesh of the cow and its progeny, many Indians do eat animal flesh from time to time. But they do not however make a fetish of it and usually tend to keep such eating to the minimum.*

*Similarly the eating of buffalo flesh has been much avoided by most people of India till about a century or so before.*

*The Transfer of Power from Britain to India however (perhaps it looks more honorable in our present day lowly position in the world to emphasize that what we got was really the Swaraj that we wanted) brought up a major propagation of meat eating, this time by committees and officers of the Indian State, and not just by the Christian Missionaries. Scores of committees, since around 1947, have worked on*

*how to provide Indians a more animal protein diet, how to modify the breed of cattle, especially of buffaloes, so that they do not only give milk, but through sophisticated slaughtering devices also provided succulent animal flesh.*

*Our contributions as a relatively non-violent people thus is, not only to make meat available to some more of our already well-fed middle-classes - the administrators, the managerial classes, the defense services, the politicians and the rest. Rumors of course are in plenty. For instance it is stated by academics in Calcutta that some 22% of the Hindus there are thought to eat cow flesh, and in Kerala this proportion may be somewhat higher.*

*It is usually said today that you cannot really be sure if there is not a tiny little bit of some cow part in the pills or medicine one is prescribed, for whatever ailment, by the westernized medical men to whom we of the middle classes go so often.*

*Mentioning that you or your family could not even think of having any tiny bit of the flesh of the cow, even as medicine, is no longer taken as a serious statement. Such statements have now become quite out of place in the India we have made. Even the desire to really find the truth of the situation has become ever more meaningless. The credit for this transformation, or its being propagated through government blue books, can certainly be taken by the Indian State and those who have headed it for some 50 years, and lakhs and lakhs of others, who have served the State in the desired respective professional capacities. These seem to include practically every Indian who matters.*

*How did we actually arrive at the present state? One may have taken an early beginning in 1950. Soon after the adoption of the Indian Constitution it was left to the 15 or so constituting states to enact their own laws on the welfare of the cow and its progeny and for the banning of their slaughter. Just when the states were in the process of taking decisions on the subject, the Government of India sent a letter dated 20<sup>th</sup> December 1950 to all State Governments. The letter said-*

*"Hides from slaughtered cattle are much superior to his from fallen cattle and fetch a higher price. In the absence of slaughter, the best type of hide, which fetches good price in the export market will no longer be available. A total ban on slaughter is thus detrimental to the export trade and work against the tanning industry in the country"*

*In 1954, the Government of India (Ministry of Food and Agriculture) appointed an "Expert Committee on the Prevention of Slaughter of Cattle in India", which gave its report in January 1955. In the very middle of the report, the Committee began to say that as we do not have enough fodder we cannot maintain more than 40% of our cattle. According to it, 60% of the rest had to be culled from the Indian Cattle stock, whenever possible.*

*In 1970s the Government of India appointed the National Commission on Agriculture. Some of its suggestions regarding buffaloes could be looked at:*

***"The buffalo should be developed not only for enhancement of milk production but also for making it a source of production of quality meat."***

*"A deliberate and energetic drive should be made to develop for export trade in buffalo meat".*

***"Modernization of slaughter Houses should be undertaken immediately"***

***"Massive programmes for improving the reproductive and productive efficiency of cattle and buffaloes should be undertaken. Low producing stock should be progressively eliminated so that the limited feed and fodder resources are available for proper feeding of high producing animals".***

*A last point, much nearer our time, in July 1995, may be noticed here. This was a statement made before the Supreme Court by the Government of India. The statement was:*

*"It is obvious that, the Central Government as whole is encouraging scientific and sustainable development of livestock resources and their efficient utilization, which inter-alia includes production of quality meat for export as well as for domestic market. This is being done with a view of increase in the national wealth as well as better return to the farmer."*

*Though our agriculture and cattle and animal rearing have been ruined during the past 50 year, in fact the beginning of this ruin started around 1760 and spread to the whole of India during the 19<sup>th</sup> century, we, as a relatively non-violent people, seem strangely to have started taking pride that they now slaughter around 2,60,00,000 cattle and buffaloes annually. Of these the buffaloes may be around 40-45%. The number of cattle whose flesh is exported through this vast dedicated state effort may be around 30% of the whole*

*The following two documents, recent products of the Indian Planning Commission,*

- 1. Report of Sub Group XI – Meat Sector (July 2001)*
- 2. Extract of 10<sup>th</sup> Five Year Plan Working Group on Slaughter of Animals (Jan-2002)*

*may be taken as continuing products of our post 1950 policies. That the policies of ever larger meat production advocated and planned by our rulers and planners, was not merely to cull out such cattle as had become quite feeble during the period India was under British rule, is quite clear. What has been planned and done is to breed more and more buffaloes and other animal stock, for the production of meat for export, as well as for larger internal consumption. But the programme is also to familiarize our people with the planned slaughter of animals, to make them insensitive to the process of killing, and in the end to make them treat such killing as a blessing for all including those slaughtered. Hence, the suggestion of the setting up of tens of thousands of rural abattoirs and numerous similar slaughter places.*

*Many of the readers may find all this horrifying to read. It is not to increase their pain and sorrow that this material is included here. It is rather because we want to share what has fallen to our lot on the subject of state-designed and planned animal slaughter in India that we are compelled to do so.*

*As the Planning Commission documents are still to be approved or thrown out largely, our people have an opportunity to be familiar with the reality of the policies of*

*our state and where these arte leading us, and trying to create and widen a major breach between our parampara and the future of our land and people.*

*Let the State wake up in-time"*

158. Table No.110 of Basic Animal Husbandry Statistics, 1999, - **Annexure I (33)** - gives the FAO statistics of milk production and per capita availability of countries of the world. As per this table, the per capita availability of milk in 1997, as per this table, was only 205 grams per day in India, as compared to 8378 grams per day in New Zealand and 2312 grams in Denmark. As far as the per capita availability of milk goes, India stands 13<sup>th</sup> in the world, despite possessing about 15% of the world population of cattle. Obviously, the yield of milk in India is amongst the lowest in the world, which exhibits the hollowness of our claims of great success of the so-called "**White Revolution**".



## Conclusion

159. The different scenarios and perceptions have been discussed in the various Chapters in which the five Sub Committees have given their inputs. However, broadly speaking, we want to give a bird's eye view of the entire perception in India and, if we go by the views and sentiments and feelings of a vast majority of the people of this country, it would be for total prohibition of slaughter of cow, as well as of its progeny.

160. In such a scenario, a political decision will have to be taken by the Government, where we follow the democratic tradition of going by the consensus, without hurting any of the religious feelings or fundamental rights of any one. The Apex Court has made it clear, time and again, judicially, that neither killing of a cow nor beef-eating is a mandatory or obligatory requirement for Islam. This view has been upheld in various judgements from the 1958 Mohammed Qureshi's case to the 1996 judgement in the Hashmatulla case, so far, the latest one in the series.

161. The People of India, through various agitations, organizational activities, Satyagrahas, Anshans and representations signed by crores of people have repeatedly raise their voice and appealed to the Government to prohibit slaughter of cow and its progeny by a strong Central Law. The Rashtriya Swayam Sewak Sangh made a signature campaign in 1952 all over the country demanding complete ban on slaughter of cow and its progeny. About 2 crore signatures, which were obtained during the campaign, were submitted to Mahamahim Rashtrapati Dr. Rajendra Prasad by Shri Madhav Rao, Sadashiv Rao Govalkar (Shri Guruji) (Sarsangh Chaiak) of R.S.S. Shri Narendra Dubey, belonging to the Sarvodaya Movement of Vinoba Bhave and Prof. Biharilal Tadia have provided a graphic account of all these agitations, which shows that the people are agitating for this continuously for more than a decade. Copies of the articles (in Hindi) of Prof. Biharilal Tadia, M.A., and Shri Narendra Dubey are enclosed and marked as **Annexure I (34)**.

162. The composition of religious communities in our country as per the 1991 Census, shows that 82.4 per cent are Hindus, with 2 per cent Sikhs; 0.8 per cent Buddhists and 0.4 per cent Jains. As the Sikhs, Jains and Buddhists are all culturally akin to Hindus, it can be said that Hindus and like-minded people, constitute nearly 86 per cent of the population, with 11.7 per cent of Muslims and 2.3 per cent Christians.

163. The insignificant microscopic minority of beef eaters amongst Hindus is more or less equal to the insignificant minority amongst the Muslims, Christians, who are non beef eaters. Thus they virtually balance each other. Therefore, the figure of 86 crores of non beef-eaters and about 14 crores beef eaters in the country, makes India **"PRO-COW"** on the whole.

164. As mentioned above, from the Constituent Assembly Debates to the later statements of National Muslim leaders like Syed Rafi Ahmed Kidwai and others, the majority of Muslims who are in the main-stream do not oppose the prohibition on slaughter of cow and its progeny. The Constituent Assembly debate, in which the 2 Muslim Members Mr. Z.H. Lari and Syed Mohammad Saidulla were willing for cow slaughter prohibition to be kept as a Fundamental Right, is an eye-opener to all, and decisively shows that this issue should not be treated as a Hindu-Muslim issue or a majority versus minority issue.

165. The earlier Parliamentary debates, in which the Prime Minister vetoed the Resolution, which was going to be passed for the second time after the Constituent Assembly Debate, was followed by the third time, when it was passed on Dr. Ranjit Singh's resolution. This was followed on the 4<sup>th</sup> occasion, by Shri Justice Guman Mal Lodha's resolution, which

was also passed in 1990 by electronic voting but was subsequently declared as 'not-passed', when voting by slips was resorted to. All this by clinching evidence shows that there is a consensus on legislation for prohibition of slaughter of cow and its progeny in INDIA.

166. With this, I would conclude my introductory remarks. Each of the subjects given in the terms of reference of the Commission have been examined in greater detail in separate chapters. These have been prepared on the basis of the data, information and suggestions furnished by the Government and the non-Government organizations, as well as by the members of the general public, either in their replies to the questionnaires or in the memorandum or representations given to the Commission at the public hearings or sent by post. Extensive references have also been made to various articles and books written on the subjects.

167. It is made clear that the Members of the Commission are of the unanimous view that the issues involved are not based on religions. All the communities, whether they are the Hindus, Muslims, Christians, etc., in one way or the other, whether directly or indirectly, are collectively responsible for cow slaughter and smuggling of cattle in this country. The Commission feels that, it is out of greed for money that many upper-class Hindus also indulge in large-scale smuggling of cattle for slaughter and for the leather business. Also, in order to project themselves as progressive, ultra-modern and/or secular many of them indulge in beef-eating. The extreme poverty and customary practices in the coastal areas and amongst some sections of Scheduled Tribes, Scheduled castes or Other Backward Classes, also make them beef-eaters. The Hindus, therefore, cannot escape from their responsibility and shift the blame for cow-slaughter to non-Hindus, amongst whom there are also people who abhor cow slaughter or beef eating.

168. We are proud of the fact that Smt. Gohar Aziz, a Muslim Lady and also a Member of the National Commission on Cattle is a great crusader against cow slaughter in Chennai in Tamil Nadu. On several occasions, she was physically manhandled by the butchers and the supporters when she tried, at grave risk to her own life, to save cows and calves from slaughter. During the tour of NCC, she saved about 16 cows, who were being butchered in spite of prohibitory laws to the contrary being in force. She was the person, who came and took the other Members of the Commission to the place where cows were about to be butchered for providing meat to the Zoo animals in the Bhubaneswar Zoo. After our DHARNA of 2 hours or so, which was conducted at the risk of life, the Government and Police officials arrested the butcher and, after ensuring the release of 15 cows waiting to be slaughtered, sealed and closed the cow slaughter house. Similarly, there are several other Muslims, such as a couple in Mumbai, Shri Abrar Qureshi and his wife, Smt. Zinnat Abrar Qureshi, who are working tirelessly for the prevention of slaughter of cow and its progeny.

169. The Commission has decided to approach all issues objectively only. The earlier references to the castes, communities or religions of the cow slaughterers in various periods of the history of this country, whether it be the British era or Mughal empire etc., were only given with a view to tracing out the historical background for the record. Our approach would be additionally based on the "Acid tests" of Economic balance and viability also. We have attempted this approach in all our Committee reports, which in turn form the basis for the recommendations made in the various Chapters of this Report.

170. We do hope that the recommendations would be accepted and relied upon both by the executive and Legislative wings of this country, and, above all by the 100 crores of **"WE THE PEOPLE OF INDIA"** for the benefit of 20 crores of speechless and defenseless **"Cow and its progeny"** in this great Nation of ours.



सत्यमेव जयते

## **CHAPTER II**

### **EXECUTIVE SUMMARY**

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## **CHAPTER II**

### **EXECUTIVE SUMMARY**

**(By Member Secretary)**

#### **1. Introduction**

1.1 Recognising the fact that the cow and its progeny has a significant role to play in the agricultural and rural economy of the country the Government felt that it was necessary to formulate measures for their development in all possible ways. In view of the persistent demands for action to be taken to prevent their slaughter, the Government also felt the need to review the relevant laws of the land relating to protection, preservation, development and well-being of cattle and to take measures to secure the cattle wealth of India.

1.2 Vide its Resolution dated 2<sup>nd</sup> August, 2001, the Government of India established a National Commission on Cattle, comprising of 17 Members. Shri Dharampal, Chairman, was accorded the status of Minister of State in Government of India. In the absence from Delhi of the Chairman, Justice Guman Mal Lodha, Vice Chairman of the Commission functioned as the Acting Chairman and looked after the day-to-day functioning of the Commission. A copy of the Resolution is at **Annex II (1)** to this Chapter.

1.3 The Member Secretary, Shri Rajiv Gupta was subsequently replaced by another officer, Smt. Chitra Gouri Lal, in the rank of Joint Secretary to the Government of India. One Member, Shri Laxminarain Modi subsequently resigned from the Membership of the Commission. Another Member, Ms. Ingrid Newkirk was unable to attend any of the meetings of the Commission, due to the fact that she was residing abroad. She, therefore, requested that her name be excluded from the Report. The list of the 15 remaining Members of the Commission is at **Annex II (2)**.

#### **2. Terms of Reference and Powers**

The Commission was given the following terms of reference and powers:

Terms of reference:

- a) To review the relevant laws of the land (Centre as well as States) which relate to protection, preservation, development and well-being of cow and its progeny and suggest measures for their effective implementation,
- b) To study the existing provisions for the maintenance of Goshalas, Gosadans, Pinjarapoles and other organisations working for protection and development of cattle and suggest measures for making them economically viable,
- c) To study the contribution of cattle towards the Indian economy and to suggest ways and means of organizing scientific research for maximum utilization of cattle products and draught animal power in the field of nutrition and health, agriculture and energy, and to submit a comprehensive scheme in this regard to the Central Government

- d) To review and suggest measures to improve the availability of feed and fodder to support the cattle population.

**Powers of the Commission:**

- a) To seek public opinion in matters covered by the terms of reference,
- b) To accept memoranda and representations,
- c) To visit and interact with various Central and State Government offices and Institutions / organisations engaged in the field of preservation, production and improvement of cow and its progeny,
- d) To take all such steps which are necessary in furtherance of its terms of reference,
- e) To suggest and give recommendations on its objects and terms of reference and any other subject which is entrusted to it by the Government of India, during its tenure.

**3. Constitution of Committees**

3.1 At the first meeting of the Commission, held in New Delhi on 13 August 2001, apart from administrative decisions regarding the staffing and office accommodation for the Secretariat, one of the important decisions taken was to set up five Committees for in-depth study of the issues, in all their dimensions, allotted to the Commission, as enunciated in the terms of reference.

3.2 The following five Committees, each with a Convener, were set up:

- I. Cattle Laws and Legislation Committee.
- II. Committee for Administration of Cattle Laws.
- III. Goshala, Gosadan, Pinjarapole, Pasture Land and Fodder Development Committee.
- IV. Cattle products, by-products and energy utilisation and research Committee.
- V. Breed improvement and preservation Committee.

The composition of the five Committees that were set up and the details of the tasks that were allocated to them are at **Annex II (3)**.

3.3 A Steering Committee comprising of the Chairman, Vice Chairman, Member Secretary and the 5 Convenors of the Committees was also established to take decisions from time to time with regard to the working of the Commission.

**4. Questionnaires**

4.1 In order to ascertain the views of the general public, legal experts, NGOs, animal welfare activists, Goshalas managers, scientists, researchers as well as Government and semi-Government agencies, detailed questionnaires were sent out to various categories of people.

4.2 A composite questionnaire, seeking detailed information on the various issues confronting the Commission was also sent out to State Governments, NGOs and others. This questionnaire was used to elicit information during the public hearings and official meetings held by the Commission. A copy of the questionnaire is at **Annex II (4)**.

## **5. Public Hearings and Meetings with State Government officials.**

5.1 Under the Chairmanship mostly of the Acting Chairman, the Commission held a series of Public hearings and Meetings with State Government officials, as per the Schedule given at **Annex II (5)**.

5.2 Public Hearings were held in the States of Maharashtra, Gujarat, Rajasthan, West Bengal, NE States (at Guwahati), Bihar, Jharkhand, Madhya Pradesh, Uttar Pradesh, Uttaranchal, Haryana, Punjab, UT of Chandigarh, Himachal Pradesh, NCT of Delhi, Orissa, Andhra Pradesh, Karnataka, Kerala and Tamil Nadu. The hearing in Goa was fixed but could not be held due to unforeseen circumstances. Brief synopses of the proceedings of the hearings and meetings with State Government officials have been prepared by each of the Committees on the subjects pertaining to them.

## **6. BACKGROUND**

6.1 India is traditionally a predominantly agricultural economy. Although the share of agriculture in the GDP has been declining, there is still a large section of the populace, which depends on agriculture as a means of livelihood.

6.2 The livestock sector comprises a very important part of the agriculture sector. Production systems are based on low cost agro-byproducts as nutritional inputs, using traditional technologies for production. A sizeable percentage of livestock owners are below the poverty line. It has been estimated that 70% of the animals belong to small and marginal farmers and landless population, whereas these categories own only 30% of agricultural land in the country.

6.3 The livestock sector requires a balance between animal and man to maintain the ecological bio-sphere and to enable economic exploitation of the resources without causing irreversible damage to the environment. Rural women play a very significant role in livestock management and participate actively in areas such as feeding, breeding, maintaining and providing health care to the animals. Livestock production is an integral part of crop farming and contributes substantially to poverty alleviation and creates employment opportunities. The livestock sector has a great potential for bringing about socio-economic transformation in the lives of the rural masses and improving their standard of living.

## **7. Importance of cattle**

7.1 The importance of cattle and cattle-products, and their contribution to the national economy has been discussed in detail in the chapter on cattle products and by-products. The inter-dependence between man and cattle and their relation to land and plant life grown thereon, have been schematically shown. Apart from giving a wholesome and nutritious diet, containing all the elements required for a balanced diet, in the form of milk and milk products, providing draught power for ploughing fields and for transport, cattle dung and urine can also prove to be an invaluable source of organic manure as well as fo

medicines to cure a number of diseases. Dung is also burnt as a fuel and used in bio-gas plants as an alternative source of energy for electrification and cooking in rural areas. The slurry from bio-gas plants is also usable as a manure, as it is a rich source of nitrogen.

## **8. Ban on Cow Slaughter - Historical perspective**

8.1 Historically speaking, the cow has always had a very special place in the social fabric of the country. Mythological history has it that, during the churning of the oceans (Sagar Manthan), as a result of the struggle between Good (represented by Devas) and Evil (represented by Rakshashas) one of the outcomes was a Cow, named as Kamdhenu. The cow was worshipped by the sages and, it is said, that Dhanwantri worshipped Kamdhenu and with her blessings, developed a great medicine 'Panchgavya', comprising of five products of the cow (milk, ghee, curd, urine and dung, which even today is used in Ayurveda as a remedy for many diseases.

8.2 'Ahimsa', one the basic principles of Hinduism, preaches non-injury to all living beings, be they humans or animals. Apart from this general principle, protection of the cow and its progeny is a centuries old concept, finding its roots in ancient scriptures and teachings of sages over long periods of time.

8.3 According to German historian, Jurgen Lensch, "One is inclined to subscribe to the notion, that Ahimsa and cattle taboo must be really ancient features of the Indian culture, which were probably there even before the invaders marched into this land and remained covered up for a long period until they again got a chance to manifest themselves. The assimilation of earlier and later conquerors of India – with the exception of the Muslims and the British – into the mainstream of the Indian civilization with Ahimsa and cattle taboo as guiding principles of Hinduism sounds convincing. Moreover, it is a fact that, during the entire period of Hinduistic culture, cattle taboo was never applied in a radical and unconditional sense. In the old medical books, for instance, we learn that cattle products were used for medical purposes. Thus, Hinduism seems to possess a tremendous flexibility and an amazing capacity to assimilate and incorporate the incoming streams." (Lensch, J., Probleme der Rinderhaltung in Indien in "Tierärztliche Umschau", Nr. 11/1967, Konstanz, p.44, from Chapter on Problems and Prospects of Cattle Husbandry in India).

## **9. Gandhiji's views on the Cow**

9.1 Throughout his life, the Father of the Nation, Mahatma Gandhi worked towards the goal of a total ban on cow slaughter. His views on the cow, are brought out in his own words, as follows:

*"The central fact of Hinduism, however, is cow-protection. Cow-protection to me is one of the most wonderful phenomena in human evolution. It takes the human being beyond his species. The cow to me means the entire sub-human world. Man through the cow is enjoined to realize his identity with all that lives. Why the cow was selected for apotheosis is obvious to me. The cow was in India the best companion. She was the giver of plenty. Not only did she give milk, but she also made agriculture possible. The cow is a poem on pity. One reads pity in the gentle animal. She is the mother to millions of Indian mankind. Protection of the cow means protection of the whole sub-creation of God. The ancient seer, whoever he*

*was, began with the cow. The appeal of the lower order of creation is the gift of Hinduism to the world. And Hinduism will live so long as there are Hindus to protect the cow.” (The Mind of Mahatma Gandhi – The Complete Book, page 318, downloaded from the web-site <http://www.mkgandhi.org/momgbook/> .*

9.2 Another extract from an article on Hindu-Muslim Unity by Mahatma Gandhi, as brought in the journal 'Bharat Mata' is given below, which reflects his anxiety that the issue of cow-slaughter should not be allowed to be used by mischievous elements to foment trouble between the two communities:

*“My main purpose is to think of the immediate task lying before us. Bakr-i-Id will be soon upon us. What are we to do to frustrate the attempts that will then be made to foment quarrels between us - Hindus and Mussalmans? Though the situation has improved considerably in Bihar, it is not yet free from anxiety. Over-zealous and impatient Hindus are trying to force matters. They lend themselves an easy prey to the machinations of mischief-makers not always prompted by the Government side. Protection of the cow is the nearest to the Hindu heart. We are therefore apt to lose our heads over it, and thus be unconsciously instrumental in doing an injury to the very cause we seek to spouse. Let us recognise that our Mussalman brethren have made great efforts to save the cow for the sake of their Hindu brethren. It would be a grave mistake to undertake them. But immediately we become assertive, we make all effort on their part nugatory. We have throughout all these many years put up with cow slaughter either without a murmur of under ineffective and violent protest. We have never tried to deserve self-imposed restraint on the part of our Mussalman countrymen by going out of our way to cultivate friendly relations with them. We have more or less gratuitously assumed the impossibility of the task.*

*But we are now making a deliberate and conscious attempt in standing by their side in the hour of their need. Let us not spoil the good effect by making our free offering a matter of bargain. Friendship can not be a contract. It is a status carrying no consideration with it. Service is a duty, and duty is a debt, which it is a sin not to discharge. If we would prove our friendship, we must help our brethren whether they save the cow or not. We throw the responsibility for their conduct towards us on their own shoulders. We dare not dictate it to them as consideration for our help. Such help will be hired service, which the Mussalmans can not be blamed if they summarily reject. I hope, therefore, that the Hindus of Bihar and indeed all the parts of India will realise the importance of observing the strictest forbearance, no matter what the Musslamans do on Bakr-i-Id. We must leave them to take what course they chose. What Hakim Ajmal Khan did in one hour at Amritsar, Hindus could not have done by years of effort. The cows that Messrs Chhotas and Khatri saved last Bakr-i-Id day, the Hindu millionaires of Bombay could not have saved if they had given the whole of their fortunes. The greater the pressure put upon the Mussalmans the greater must be the slaughter of the cow. We must leave them to their own sense of honour and duty. And we shall have done the greatest service to the cow.*

*The way to save the cow is not to kill or quarrel with the Mussalmans; the way to save the cow is to die in the act of saving the Khilafat without mentioning the cow. Cow protection is a process of purification. It is tapasya, ie., self-suffering. When*

*we suffer voluntarily, and, therefore, without expectation of reward, the cry or suffering (one might say) literally ascends to heaven, and God above hears it and responds. There is the path of religion, and it has answered even if one man has adopted it in its entirety. I make bold to assert without fear of contradiction that it is not Hinduism to kill a fellowman even to save the cow. Hinduism requires its votaries to immolate themselves for the sake of their religion, ie. for the sake of saving the cow. The question is how many Hindus are ready without bargaining with the Mussalmans to die for them and for their religion? If the Hindus can answer it in the religious spirit, they will not only have secured Mussalman friendship for eternity, but they will have saved the cow for all time from the Mussalmans. Let us not swear even by the greatest among them. They can but help. They cannot undertake to change the hearts of millions of men who have hitherto given no thought to the feelings of their Hindu neighbours when they slaughter the cow. But God Almighty can in a moment change them and move them to pity. Prayer accompanied by adequate suffering is a prayer of the heart. That alone counts with God. To my Mussalman friends I would but say one word. They must not be irritated by the acts of irresponsible or ignorant but fanatical Hindus. He who exercises restraint under provocation wins the battle. Let them know and feel sure that responsible Hindus are not on their side in their trial in any bargaining spirit. They are helping because they know that the Khilafat is a just cause and that to help them in a good cause is to serve India, for they are even as blood-brothers, born of the same mother - Bharat Mata.*

9.3 A compilation of other statements made by the Father of the Nation on various occasions regarding cow protection, Goseva, cow-slaughter etc. is given at Annex II (6) to this report. Gandhiji felt that a Nation is to be judged by the way it treats its animals. He felt that cow slaughter should, and could be made economically impossible.

## 10. Acharya Vinoba Bhave and cow protection

10.1 The following extract from the web-site [http:// www. mkgandhi-sarvodaya.org/ vinoba/cow.htm](http://www.mkgandhi-sarvodaya.org/vinoba/cow.htm) reflects the thinking of Vinoba Bhave regarding Cow Protection:

### VINOBA'S THOUGHTS ON

#### • COW PROTECTION

*"Protection of the cow and the bullock is a characteristic of the Indian social philosophy. We are, in this respect, a step ahead of the Western socialism. Western socialism asks for a full and equal protection being given to all men, but there it stops. We in India have gone a step further. We have included the cow as a member in the family. True, we have not followed this principle in practice fully. We merely pay respect to the cow but do not look after it so well as they do in the Western countries. Nevertheless we have deep regard for it and consider it worthy of our care and protection in the same way as the human members of the family. We do*

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*not drive out the latter when they grow old. In the same way, though we make full use of the cow and the bullock - take milk, get our fields ploughed, use the dung for manure, and use even their hides after they are dead - we do not kill them. But now we must link up this regard with a scientific attitude. Superstitious respect will not do. We must open good dairy farms, Gosadans, and the wealthy amongst us should come forward to provide for the upkeep of decrepit cattle. S.V.-1160*

#### **BAN ON COW-SLAUGHTER**

*Some people are under serious misapprehension in regard to the secular character of our State. They think that there is some kind of incompatibility between cow protection and a secular State. There is no incompatibility between the secular character of our State and the protection of the cow. No religion in India says that it is meritorious to kill a cow, and therefore there is no conflict among our different religions about the desirability of the protection of the cow. Therefore I say that there is nothing to prevent the secular State from striving to protect the cow, and our State must do it. S.V.-1161 "*

#### **10 A. Cow Protection in pre-Independence India**

10A.1 As has been brought out before, the fervent desire of the people of this country to protect the cow and its progeny has been prevailing for centuries together. The First War of Independence was triggered off when Indian soldiers in the British Army were forced to open beef-coated cartridges with their mouths, leading to the firing of the first shot in the Sepoy Mutiny of 1857 by Sepoy Mangal Pandey.

10A.2 During British Rule in India, there were several cases of communal riots caused by the slaughter of cows. However, a Historical Survey of some major communal riots, between 1717 and 1977, reveals that out of 167 incidents of rioting between the two communities, that although in some cases the reasons for provocation of the riots was not given, 22 cases were attributable directly to cow slaughter (Ms. Zenab Banu, • Politics of Communalism, Appendix IV, Page 175-193). The list as down-loaded from the relevant web-site, is at **Annex II (7)**.

10A.3 Gandhiji's views on the protection of the cow have already been mentioned. We have seen how Gandhiji was of the conviction that cow protection was an act of purification and how he gave the cow protection movement preference over even the struggle for Swaraj.

#### **11. Constituent Assembly Debates**

11.1 After India attained Independence, the Members of the Constituent Assembly, debated the question of making a provision for the protection and preservation of the cow in the Constitution of India. An amendment for including a provision in the Directive Principles of State Policy as Article 38A was introduced by Pandit Thakur Dass Bhargava. The amendment read as follows:

**'38-A. The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall in particular take steps for preserving and improving the breeds of cattle and prohibit the slaughter of cow and other useful cattle, specially milch and draught cattle and their young stock'.**

Another amendment motion to Pandit Thakur Dass Bhargava was moved by Seth Govind Dass, who sought to extend the scope of the provisions for prohibiting slaughter to cover cow and its progeny by adding the following words at the end of Pandit Bhargava's amendment:

'The word "cow" includes bulls, bullocks, young stock of genus cow',

11.2 While the amendment of Pandit Thakur Dass Bhargava was passed by the Constituent Assembly, that of Seth Govind Das was negative. A verbatim record of the proceedings of the Constituent Assembly Debate on 24 November 1948 is placed at **Annex I (3)** to Chapter I of this Report. It will be seen that several Members of the Constituent Assembly, especially Pandit Thakur Dass Bhargava (East Punjab), Seth Govind Das (C.P. and Berar), Prof. Shibban Lal Saksena (United Provinces), Shri Ram Sahai (United State of Gwalior-Indore-Malwa:Madhya Bharat), Dr. Raghu Vira (C.P. and Berar) and Shri R.V. Dhulekar (United Provinces), Shri Ram Sahai (United State of Gwalior-Indore-Malwa:Madhya Bharat) had strongly pleaded for the inclusion of a provision in the Constitution for prohibiting the slaughter of cows.

11.3 It is apparent from the debate, that the Members were keen on including the provision in the chapter on Fundamental Rights but, later as a compromise and on the basis of an assurance given by Dr. Ambedkar, the amendment was moved for inclusion as a Directive Principle of State Policy.

11.4 Pandit Thakur Dass Bhargava stated that "While moving this amendment, I have no hesitation in stating that for people like me and those that do not agree with the point of view of Dr. Ambedkar and others, this entails, in a way, a sort of sacrifice. Seth Govind Das had sent one such amendment to be included in the Fundamental Rights and other members also had sent similar amendments. To my mind, it would have been much better if this could have been incorporated in the Fundamental Rights, but some of my Assembly friends differed and it is the desire of Dr. Ambedkar that this matter, instead of being included in Fundamental Rights should be incorporated in the Directive Principles. As a matter of fact, it is the agreed opinion of the Assembly that this problem should be solved in such a manner that the objective is gained without using any sort of coercion. I have purposely adopted this course, as to my mind, the amendment fulfils our object and is midway between the Directive Principles and the Fundamental Rights. "

11.5 Pandit Bhargava also observed that "I do not want that, due to its inclusion in the Fundamental Rights, non-Hindus should complain that they have been forced to accept a certain thing against their will. "

11.6 Similarly, Seth Govind Das said, " As Pandit Thakur Das told you, I had submitted this earlier to be included in Fundamental Rights but I regret that it could not be so included. The reason given is that Fundamental Rights deal only with human beings and not animals. I had then stated that just as the practice of untouchability was going to be declared an offence so also we should declare the slaughter of cows to be an offence. But it was said that while untouchability directly affected human beings the slaughter of cows affected the life of animals only – and that as the Fundamental Rights were for human beings this provision could not be included therein. Well, I did not protest against that view and thought it proper to include this provision in the Directive Principles."



11.7 The words of Shri Ram Sahai in this regard are significant. Shri Sahai said, " My only object in tabling this amendment was to secure complete prohibition of the slaughter of cows. But I find here that a section of the House does not like this. I also do not like, on my part, to make any proposal that may not receive the unanimous acceptance of the House, nor a proposal, which may lead to the curtailment of the freedom of the provinces in this matter. Under the Directive Principles of State Policy, Provinces will have the power to stop cow slaughter totally or partially. Though there is a ban in one form or another on the slaughter of cows, in almost all countries of the world, yet I would not emphasise that fact before you. I hope Honourable Dr. Ambedkar will appreciate and accept the amendment moved by Mr. Bhargava because it is on the basis of the assurance to this effect given by him that the amendment has been moved as a compromise. In view of that assurance I am not moving my amendment."

11.8 The highlights of the Debate are the views expressed by two Members of the Constituent Assembly belonging to the Muslim community. Muslim Member, Shri Z.H.Lari (United Provinces), said, amongst other things, the following:

"My own submission to this House is that it is better to come forward and incorporate a clause in Fundamental Rights that cow slaughter is henceforth prohibited, rather than it being left vague in the Directive Principles, leaving it open to Provincial Governments to adopt it one way or the other, and even without adopting definite legislation to resort to emergency process under the Criminal Procedure. In the interests of good-will in the country and of cordial relations between the different communities I submit that this is the proper occasion when the majority should express itself clearly and definitely.

I for one can say that this is a matter on which we will not stand in the way of the majority if the majority wants to proceed in a certain way, whatever may be our inclinations. We feel — we know that our religion does not necessarily say that you must sacrifice cow: it permits it .... Therefore, let the leaders of the majority community here and now make it clear and not leave it to the back-benchers to come forward and deliver sermons one way or the other. Let those who guide the destinies of the country, make or mar them, say definitely 'This is our view', and we will submit to it. We are not going to violate it."

11.9 Although the other Muslim Member, Syed Muhammad Sa'adulla (Assam), opposed the motion, refuting the argument for a prohibition on cow slaughter based on the economic considerations, he was willing to accept the religious sentiment argument. He said:

"Mr. Vice-President, Sir, the subject of debate before the House now has two fronts, the religious front and the economic front. Some who want to have a section in our Constitution that cow killing should be stopped for all time probably base it on the religious front. I have every sympathy and appreciation for their feelings; for, I am a student of comparative religions. I know that the vast majority of the Hindu nation revere the cow as their goddess and therefore they cannot brook the idea of seeing it slaughtered. I am a Muslim as everyone knows. In my religious book, the Holy Qoran, there is an injunction to the Muslims saying - "La Ikraba fid Din", or, there ought to be no compulsion in the name of religion. I therefore do not like to use my veto when my Hindu brethren want to place this matter in our Constitution from the

religious point of view. I do not also want to obstruct the framers of our Constitution, I mean the Constituent Assembly if they come out in the open and say directly: "This is part of our religion. The cow should be protected from slaughter and therefore we want its provision either in the Fundamental Rights or in the Directive Principles."

11.10 Shri Dharampal, Chairman of the National Commission on Cattle, has gone through the record of the Constituent Assembly Debates and has, in addition to commenting on the above, observes as follows:

"Both Lari and Sa'adulla, seeing a basic contradiction between modern and scientific agriculture (as understood in the West) on the one hand, and banning slaughter of cattle on the other hand were suspicious of the clause (ultimately, the main points of it however were adopted as Article 48) which was being adopted. Here Lari said, "the preceding portion of the clause speaking about modern and scientific agriculture and the subsequent portion banning slaughter of cattle do not fit in with each other." Sa'adulla said about the same when he stated, "but, those who put it on the economic front, do create a suspicion in the minds of many that it is the Muslim people who are responsible for the slaughter of the cow. That is absolutely wrong." Then he added, "there are lakhs of Muslims who do not eat cow's flesh. I am not speaking in any sense of braggadocio when I say that I myself do not take it.... The Muslims are as much agriculturists as the Hindus and the cattle in their farms form their capital asset, the natural source of their power to till the land and produce the food, which will maintain them for the entire year. Therefore, it is wrong to say that the Muslims kill the cows either to offend my Hindu friends or for any other purpose. Fortunately or unfortunately the Muslims are a meat-eating people. The price of mutton is so high that many poor people can not buy it. Therefore on rare occasions they have to use the flesh of the cow."

Earlier, Syed Sa'adulla in a roundabout way indicated the main culprits responsible for large-scale cow slaughter in India. He said that in Assam, during the early 1940s (World War II), he found, "droves of cattle being taken to the military depots for being slaughtered not by Muslims, but by Hindus who had big 'sikhas' on their heads." The reason being, that "Assam alone had to accommodate about 5 lakhs of fighting men and equal number of camp followers. Cattle from all parts from India were then taken to Assam to feed these 10 lakhs of people from America and elsewhere, white as well as black."

While much is talked about what was said by Pandit Thakur Das Bhargava and Seth Govind Das, R.V. Dhulekar, I think, reflected the opinion and sentiments of a very large majority, if not of all, of the people of India, best. In his speech he said, "We want that India should declare today that the whole human world as well as the whole animal world is free today and will be protected. The cow is a representative of the animal kingdom, the Peepal tree is the representative of the vegetable kingdom, the touchstone or the shaligram is the representative of the mineral world. We want to save and give peace and protection to all those four worlds, and therefore it is that the Hindus of India have put these four things as representative of this world- the human being, the cow, the peepal, and the shaligram. All these were worshiped because we wanted to protect the whole humanity."

As I usually see events in historical contexts, what attracted me in this text is somewhat different. I would rather that such texts are judged by the readers and listeners themselves. Persons like me can merely indicate what seems important to them. I have a feeling that there was quite some deception and steamrolling of ordinary members of the Constituent Assembly by those who managed the Assembly. This also happened in the case of Panchayats, the national anthem and scores of other matters.”

11.11 The end result of the debate in the Constituent Assembly was that the amendment motion of Pandit Thakur Dass Bhargava was carried and the Article in its present form exists as Article 48 of the Constitution of India, as one of the Directive Principles of State Policy. Thus, the opportunity of meeting the persistent demand for a complete ban, by including it in the Fundamental Rights chapter, was lost. The non-acceptance of Seth Govind Das's motion also removed the possibility of protecting bulls and bullocks from slaughter.

## 12. Cattle protection in the post-Independence era

12.1 Agitations against cow slaughter took place sporadically, from time to time in Independent India and, gradually, the movement for a ban on cow slaughter gathered momentum in several parts of the country, mainly in North Indian cities like Mumbai, Allahabad, Ahmedabad, Delhi. Several organisations took up the cause and a number of demonstrations took place. In 1966, a massive protest march was held, in which people of all faiths, castes and age-groups participated. The peaceful demonstration in Parliament Street, Delhi was fired upon in which around hundred people lost their lives.

12.2 In the year 1979, Acharya Vinoba Bhave decided to go on an indefinite fast from 22.4.1979 on the question of prevention of cow slaughter. His demand was that the Governments of West Bengal and Kerala should agree to enact legislation banning cow slaughter.

12.3 On 12.4.1979, a Private Members Resolution was passed in the Lok Sabha, which is reproduced below. The Resolution was approved by 42 votes to 8, with 12 absentees.

*“This House directs the Government to ensure total ban on the slaughter of cows of all ages and calves in consonance with the Directive Principles laid down in Article 48 of the Constitution as interpreted by the Supreme Court, as well as necessitated by strong economic considerations based on the recommendations of the Cattle Preservation and Development Committee and the reported fast by Acharya Vinoba Bhave from 21<sup>st</sup> April, 1979”.*

12.4 Later, an announcement was made in the Parliament by the then Prime Minister that Government would be initiating action for amending the Constitution with a view to conferring legislative competence on the Union Parliament for legislating on the subject of cow protection. Accordingly, a Constitution Amendment Bill seeking to bring the subject of Prevention of Cow Slaughter on to the concurrent list was introduced in the Lok Sabha on 18.5.1979. The Bill, however, lapsed on account of dissolution of the Sixth Lok Sabha.

12.5 In July 1980, Acharya Vinoba Bhave reiterated his demand for a total ban on cow slaughter, while addressing the All India Goseva Sammelan. He requested that cows should not be taken from one State to another.

12.6 In 1981, the question of amending the Constitution by introducing a Bill was again examined by the Government, but, in view of the sensitive nature of the issue and owing to political compulsions a 'wait and watch' policy was adopted. However, as a number of complaints were received from time to time that despite the ban on the slaughter of cow and its progeny, healthy bullocks were being slaughtered under one pretext or the other and calves were being maimed, so that they could be declared useless and ultimately slaughtered, the then Prime Minister, in her letter dated 24.2.1982 wrote to the Chief Ministers of 14 States viz. Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Karnataka, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Uttar Pradesh and Jammu & Kashmir, in which she desired that (i) the ban be enforced in letter and spirit; (ii) the ban on cow slaughter is not allowed to be circumvented by devious methods; and (iii) Committees to inspect cattle before they are admitted to slaughter houses be adopted.

12.7 Recognising that the problem basically arose on account of inaction or obstruction on the part of a few States and large scale smuggling of cows and calves from a prohibition State to a non-prohibition State like Kerala was taking place, a suggestion was made that this problem be brought to the notice of the Sarkaria Commission, which was making recommendations regarding Centre-State relations, but this idea was dropped as the Sarkaria Commission was then in the final stages of report-writing.

### **13. Private Members' Bills and Resolutions introduced in Parliament**

13.1 A number of Private Member's Bills and Resolutions on Prevention of Cow Slaughter were introduced in Parliament, both in Lok Sabha, as well as in Rajya Sabha, from time to time. Some of these attempts have already been described. Subsequent attempts to address the issue through a Central Legislation or otherwise are described below.

#### **Dr. A. K. Patel - 1985**

13.2 On 22.11.1985, a Private Member's Bill on Prevention of Cow Slaughter was introduced in the Lok Sabha by Dr. A. K. Patel, M.P., the purpose of which was stated to be as follows:

*"The cow is held in veneration by millions of people of India. It serves the nation in many fields of life. Bullocks are needed for agriculture. The necessity of the cow for Indian life can never be over-estimated. In the Directive Principles (Article 48) enshrined in the Constitution, a duty has been cast upon the Government to take steps for preserving and improving the breeds, and prohibiting the slaughter of cows and calves. It is therefore, necessary to have legislation for stoppage of slaughter of cows. Hence the Bill".*

13.3 Since the Bill sought Central legislation on the subject and Parliament did not have the competence to enact any legislation on the subject by virtue of the subject matter falling under entry 15 of List of the Seventh Schedule, it was decided to withhold the recommendations of the President under Article 117(3) of the Constitution for consideration

of the Bill in either House of Parliament. (The Government, in 1985, however, considered the question of amending the Constitution to bring the subject of prohibition of slaughter of cows and other milch and draught animals in the Concurrent List, but after due deliberation, decided against it.)

#### **Shri Guman Mal Lodha – 1990**

13.4 In 1990, a Private Member's Resolution put up by Shri Guman Mal Lodha, regarding suitable legislation to ban slaughter of cow and its progeny throughout the country was introduced. After detailed discussion on 17.8.1990, the Resolution was put to vote in the House and was first passed by electronic voting. However, since this would have meant a fall of the Government, the voting was redone by slip-voting, and subsequently the resolution was defeated, although by a narrow margin, due to the fact that several Members were prevailed upon to change their stand to save the Government of the day.

13.5 On 10.8.1990, a Private Member's Bill was introduced in the Lok Sabha by Shri Guman Mal Lodha, MP seeking amendment of Articles 48 and 246 of the Constitution read with List II of the Seventh Schedule. The Bill could not be discussed and debated in the Lok Sabha on account of its dissolution but was re-introduced in the Lok Sabha on 30<sup>th</sup> August 1991 in the form of the Constitution (Amendment) Bill, 1991

13.6 In the statement of objects and reasons it was stated, as follows:

*"Although Article 48 of the Constitution provides for prohibition of slaughter of cows and calves and other milch and draught cattle, the States of West Bengal and Kerala have not yet introduced prohibition of cow slaughter. Moreover, Article 48 provides for prohibition of cow slaughter and not for the progeny of cow.*

*In the absence of an entry providing for prohibition of slaughter of cow and its progeny in List III – Concurrent List of the Seventh Schedule to the Constitution, the Parliament cannot enact a law for the prohibition of cow slaughter. The Supreme Court in the past has taken the view that though a ban on cow slaughter is constitutional yet slaughter of other animals like bullock, she-buffaloes etc. can be allowed if such animals are not economically viable.*

*The people of India, both for economic and religious reasons, have always demanded complete ban on slaughter of cow and its progeny and other milch animals but it has not been accepted so far.*

*Hence, this Bill.*

#### **Shri Kanshiram Rana - 1994**

13.7 On 24.2.1994, Shri Kanshiram Rana, M.P. introduced in the Lok Sabha a Bill entitled "Ban on Cow Slaughter Bill, 1993, seeking to prohibit the slaughtering of cows in India. The Statement of Objects and Reasons attached to the Bill stated as follows:

*"Article 48 of the Constitution enjoins on the State to organise Agriculture and Animal Husbandry on modern and scientific lines and in particular to take steps for preserving and improving the breeds and prohibiting the slaughter of cow and its progeny. In view of the consideration that the Cow and its Progeny must be saved with a view to provide milk, bullock power as well as manure, it becomes imperative to impose a complete ban on Cow Slaughter."*

### **Shri Kanshiram Rana - 1996**

13.8 An identical Bill was introduced by Shri Kashi Ram Rana again on 22 November 1996, with the same objects and reasons. At the time of introduction of this Bill also, Shri G.M.Banatwala, supported by Shri Iliyas Azmi, opposed the introduction on the grounds that Parliament had no competence to legislate on the matter. However, after a short debate (verbatim at Annex 7), the Deputy Speaker granted leave to introduce the Bill and it was introduced by Shri Kanshi Ram Rana.

### **Shri Adityanath - 1999**

13.9 The Ban on Cow Slaughter Bill, 1999 was introduced in the Lok Sabha by Shri Adityanath, M.P. which provided for complete prohibition on slaughter of cows for all purposes. The Statement of Objects and Reasons appended to the Bill stated that:

*"Article 48 of the Constitution enjoins on the State to organise Agriculture and Animal Husbandry on modern and scientific lines and in particular to take steps for preserving and improving the breeds and prohibiting the slaughter of cow and its progeny. In view of the consideration that the cow and its entire progeny must be saved to provide milk, as well as manure, it becomes imperative to impose a complete ban on the cow slaughter."*

### **Shri U. V. Krishnam Raju - 2000**

13.10 In 2000, Shri U.V.Krishnam Raju, M.P. moved a motion for introduction of The Prohibition of Cow Slaughter Bill, 2000 with the following Statement of Objects and Reasons:

*"Article 48 of the Constitution enjoins upon the State to organize Agriculture and Animal Husbandry on modern and scientific lines and in particular to take steps for preserving and improving the breeds and prohibiting the slaughter of cow and its progeny. In view of the consideration that the Cow and its Progeny must be saved to provide milk and milk product, as well as manure, it has become necessary to enforce prohibition of cow slaughter."*

13.11 When Shri Krishnam Raju moved the motion on 20.4.2000 for leave of the House to introduce the above Bill, Shri G.M. Banatwala, M.P., Lok Sabha raised the issue regarding the legislative competence of Parliament to enact legislation on the subject. Shri Banatwala referred to the opinion given by the then Attorney General, Shri N.C.Setalwad in the Lok Sabha on 1.4.1954 on the above issue, to the effect that it was outside the legislative competence of that House to come forward with any Bill concerning organisation of Agriculture and Animal Husbandry. However, the Chairman, Lok Sabha in his ruling on the point raised by Shri Banatwala inter alia observed that Chair does not decide whether the Bill is Constitutionally within the legislative competence of the House or not and further, the House also does not take a decision on the specific question of vires of the Bill. The motion moved by Shri Raju was, therefore, put to the vote of the House and adopted. Accordingly, the Chair permitted introduction of the Bill by Shri Raju and the Bill was introduced.

**Shri S. S. Ahluwalia - 2000**

13.12 On 22.12.2000, Shri S.S. Ahluwalia, M.P. introduced a Private Member's Bill entitled 'Prevention of Cow Slaughter Bill, 2000' in the Rajya Sabha. The Statement of Objects and Reasons appended to the Bill stated as follows:

*Article 48 of our Constitution enjoins upon the State to organise agriculture and animal husbandry on modern and scientific lines and take steps for preserving and improving the breeds and prohibiting the slaughter of cows and calves. This directive has been given by the Constitution and more so cow is considered sacred as "Gaumata" by the believers of Hinduism as, according to Hindu mythology, cow is the mother of Lord Vishnu. Religious sentiments of overwhelming section of the society are, therefore, also attached with cow.*

*The origin of the demand for banning of slaughter of cow in our country, sought for by several social and religious leaders from time to time, can be tracked back even in the freedom movement of India from colonial British rule in the middle of 19<sup>th</sup> Century and Acharya Vinoba Bhave in the recent past. The freedom movement, known in the history as the Namdhari or Kooka movement, launched by Guru Ram Singh at Bhaini Sahib, a village in Ludhiana district, on Baisakhi day in 1858, under the shadow of the "Sepoy Mutiny" was primarily aimed at religious and social reform. During the middle of January, 1872, several participants of the Kooka movement were blown off from cannon mouth at Malerkotla by the British officer for the offence of attacking the fort of Pathan Nawab and demolishing of a cow slaughter house.*

*Moreover to increase milk production, bullock power in rural parts and natural manure in the country it becomes necessary to ban cow slaughter completely throughout the country.*

*Hence this Bill."*

**Shri Prahlad Singh Patel - 2002**

13.13 A Private Member's Resolution was put up by Shri Prahlad Singh Patel, M.P. in the Lok Sabha on which discussion commenced on 26.7.2002 and is still not completed (at the time of writing this Report). The Resolution states as follows:

*"This House is of the opinion that the Government should bring forward a suitable legislation to ban slaughter of cow and its progeny throughout the country."*

**14. Constitutional Provisions**

14.1 As discussed earlier, one of the Directive Principles of State Policy relating to prohibition of slaughter of cow is contained in Article 48 of the Constitution of India, which states as follows

*"The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter of cows and calves and other milch and draught cattle."*

14.2 However the preservation of cattle is a matter on which the State Legislatures have exclusive powers to legislate, the relevant entry being Entry 15 of List II of the Seventh Schedule of the Constitution, which reads as follows:

*"Preservation, protection and improvement of stock and prevention of animal diseases, veterinary training and practice."*

14.3 During the Constituent Assembly Debate on an amendment moved by Shri Thakur Dass Bhargava, fervent pleadings were made for a ban on cow slaughter. Efforts to include a provision for a total ban on slaughter of cow and its progeny in the Fundamental Rights Chapter of the Constitution of India, were made but came to nought. Instead, they were included in the Chapter containing the Directive Principles of State Policy, by including a provision as Article 38A, which subsequently became Article 48 of the Constitution, as it stands today. It may be noted that, during the Debate in the Constituent Assembly, two Muslim Members, expressed the view that, if a total ban on cow slaughter was desired by the Hindu majority on grounds of religious sentiment, they would not stand in the way. One of them even stated that, in order to make the position clear that cows could not be slaughtered, even on occasions like Bakr-Id, the provision should be included in the Fundamental Rights portion rather than leaving it open to the discretion of the State Governments whether or not to lay down the laws.

**15. Cattle in the Planning Process**

15.1 It is necessary to see how the issues relating to Cattle have been dealt with in the successive Plan periods starting from the First Five Year Plan. The issue of surplus cattle has been handled in different ways in the various Plan documents, some discussing this issue at great length and other remaining completely silent on the subject. Other issues such as cattle development, genetic improvement and breeding, feed and fodder, goshalas etc. have also received varying degrees of emphasis in the different Plans.

**15.2 First Five Year Plan Document**

*Cattle numbers*

15.2.1 The issue of cattle numbers and surplus cattle has been dealt with at considerable length in the First Plan. According to the First Five Year Plan document, the 1951 livestock census showed the cattle population of the country as 150 million, while the buffalo population was 43 million. It has also been stated that the importance of livestock to the economy of the nation could be judged by the fact that the annual contribution to the gross national income was about Rs.1000 crores, excluding the value of draft animal power.

15.2.2 The total bovine population of undivided India, (before Independence) is stated to have risen from 145.8 million in 1920 to 154.6 million in 1930 and then fallen to 144.5 million in 1945. The following table shows the trend in bovine population during 1920 – 1945, according to the quinquennial census, as reflected in the Plan Document:

Year	Number in millions	Variation taking 1920 as the basis
1920	145-8	100
1925	151-0	104
1930	154-6	106
1935	153-7	105
1940	147-7	101
1945	144-5	99



15.2.3 The Plan Document quotes the estimates made by the Cattle Utilisation Committee that about 10 per cent of the cattle population or roughly 11.4 million adults were unserviceable or unproductive. It was also found that in the rice belt and the southern regions, a comparatively larger number of unproductive cows are maintained. The Plan Document recommended that measures should be taken for upgrading the cattle and removing useless and inefficient animals to Gosadans. As regards bullocks, the estimate that there was a surplus of 4 million bullocks in UP and Bihar but it was concluded that due to small farmers maintaining bullocks which are not fully utilised, there was shortage of bullock power only in certain areas, and there was scope for increasing the efficiency of bullock power by 60% for the country as a whole.

#### *Key Village Scheme*

15.2.4 In summing up, the First Five Year Plan document speaks of the fact that the available feed could not adequately sustain the then existing bovine population and noted that, while there was a deficiency of good milch cows and working bullocks, there existed a surplus of useless or inefficient animals, and that this surplus was pressing upon the scanty fodder and feed resources. It was suggested that a programme for improvement of cattle should be launched, involving arrangements for production and use of adequate numbers of superior bulls of known parentage and productivity and elimination of inferior and unapproved bulls. It was envisaged, under the Key Village Scheme, that 600 centres would be set up in the Plan period, each centre with three or four villages having about 500 cows of over three years of age where maintenance of records of pedigree and milk production, feeding and disease control would receive full attention and techniques of artificial insemination would be utilised by setting up one AI centre for four key villages centres. Improvement of common grazing grounds, growing of fodder crops in suitable rotations, preservation of surplus monsoon grass, and use of untapped fodder resources were some of the key components of the Scheme.

#### *Gosadan Scheme*

15.2.5 According to the census figure, out a total of 48 million cows over three years of age, as many as 28 million were dry. In order to remove the useless cattle to areas of natural grazing or tracts where fodder supply was not being fully utilised, the Plan provides for establishment of 160 Goshads at a cost of about Rs.97 lacs. It was proposed that, all old, infirm and useless cattle will be segregated and sent to Gosadans located in wastelands, forests and other out-of-the-way places where grazing facilities existed but were not being utilised. The entire flocks were to be castrated and the animals, after natural death, would be utilised for their hides, skins, horns, hooves, etc. by small tanneries / flaying units to be set up at each of the centres. It was estimated that, with each Gosadan maintaining about 2000 cattle heads, the number of animals removed from the selected areas would reach about 3.2 lakhs in 1954-55, the penultimate year of the Plan period.

#### *Fodder and Feed Problem*

15.2.6 The Plan document stated that without proper feeding and management of the cattle, the effects of better breeding would be largely negated. Some experts were quoted as feeling that feeding alone could bring about an increase of 30 per cent in the milk yield of cows. The Planners felt that the supply of green and leguminous fodders should be introduced by crop rotation in irrigated areas and "Kudzu" grown on steep slopes of regions of good rainfall for grazing. Research in fodder crops and also on feeds like mango-seed kernel needed to be encouraged.

### 15.3 Second Five Year Plan

15.3.1 The document for the Second Five Year Plan notes that the object of animal husbandry programmes is, inter alia, to increase the supply of milk, meat and eggs and to provide efficient bullock power for agricultural operations in every part of the country which meant that the quality of the cattle was of critical importance to the rural economy.

#### *Low Productivity and Surplus Cattle*

15.3.2 The Plan document notes that, despite a large population of cattle (155.09 million) and buffalo (43.35 million), the net value of live-stock products amounted to only Rs. 664 crores or about 16 per cent of the income from agriculture. The Plan also took note of the fact that studies had indicated that the **cattle population was considerably in excess of the available supplies of fodder**. It was estimated that, in relation to the supplies of dry fodder at least one-third of the cattle population may be regarded as surplus and that in relation to the supplies of green fodder and concentrates the position was still worse. Due to increase in the requirements of food for the human population, areas, where grazing was possible, had diminished, eroding the available fodder for cattle, which were dependent on grazing, apart from feeding on crop-residues. It was realised that cattle-raising had to undergo a basic change and mixed farming systems would have to be developed, wherein most of the fodder would have to be grown progressively on the holdings of the farmers.

15.3.3 The Plan document notes that there was a natural tendency for the number of surplus cattle to increase even in the ordinary course and that this trend would become more marked owing to action taken in preceding years to place a total ban on the slaughter of cattle. **The document acknowledges that proposals for bans on the slaughter of cattle derive from a widely prevalent sentiment, which has found expression in the Constitution and must inevitably also enter into national planning.** The document cites Article 48 of the Constitution, which prescribes that the States shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter of cows and calves and other milch and draught cattle. However, the Planners have cautioned that, in giving effect to this Directive Principle, care had to be taken to see that conditions were not created, which may defeat the very objective, which is sought to be achieved by this provision of the Constitution.

15.3.4 The document refers to the findings of the expert committee on the prevention of Slaughter of cattle, appointed by the Government of India in 1954, to the effect that the fodder and other resources of the country were grossly inadequate even for maintaining the then existing cattle population, and notes that a complete ban on the slaughter of all cattle would tend to increase their numbers further and would jeopardise the well-being of the limited number of good cattle.

#### *Gosadans and Goshalas*

15.3.5 The Plan document notes that the Gosadan Scheme, envisaged as a solution to the problem of surplus cattle in the First Plan, had not made satisfactory progress. Only 22 gosadans for 8,000 cattle had been established (as against the envisaged number of 160 Gosadans for 3.2 lakh cattle). Although the Second Plan proposed to set up 60 gosadans for about 30,000 cattle, it was obvious that it would be impossible to establish enough numbers of Gosadans to take care of unproductive cattle. The Plan document therefore,

recommends that, in defining the scope of bans on the slaughter of cattle **States should take a realistic view of the fodder resources available** and the extent to which they can get the cooperation of voluntary organisations to bear the main responsibility for maintaining un-serviceable and unproductive cattle with a measure of assistance from the Government and general support.

15.3.6 During the second five year plan it was proposed to select 350 goshalas, out of a total number of 3,000, as centres to be developed for livestock improvement. It was envisaged that these goshalas would send their unserviceable and unproductive cattle to the nearest gosadans, each of which would have facilities for the better utilisation of hides, bones and other products. Each Goshala would be provided by Government with a certain number of animals of improved breed and would be required to secure an equal number from its own resources. A sum of Rs. 1 crore was provided for the scheme.

#### *Cattle Breeding Policy and Programme*

15.3.6 The Plan paper documents the fact that there are as many as 25 well-defined breeds of cattle and six well-defined breeds of buffaloes in India, which are distributed in different parts of the country. High class specimens in each breed are limited in number and are found in the interior of its particular breeding tract, around which there are animals of the same type but of poorer quality. A few of these breeds are of the dairy type while a large majority of the breeds are of the draught type. In between there are "dual-purpose" breeds, whose females yield more, than an average quantity of milk, while the males are good working bullocks. It was found that the while the well-defined breeds are largely found in the dry parts of the country, over large parts of the country in the east and the south of India where rainfall is very heavy, the cattle are non-descript and do not belong to any definite breed.

15.3.7 The major guidelines of the all-India breeding policy, drawn up by the Indian Council of Agricultural Research and accepted by the Central and State Governments were:

- In the case of well-defined milch breeds the milking capacity should be developed to the maximum by selective breeding and the male progeny should be used for the development of the nondescript cattle.
- In the case of well-defined draught breeds, the objective is to put as much milk in them as possible without materially impairing their quality for work.

15.3.8 Thus, the breeding policy was generally designed to increase the production of milk in the country, without affecting the position in regard to the supply of bullocks required for cultivation. In every draught breed there is always a small number which give more than an average quantity of milk and by selecting bulls from this group, the milk production of the population could be progressively increased by further selection and breeding. When this is done in the interior of the breeding tracts, the bulls produced can be used in the outer areas in order that general improvement may be brought about in the entire population.

15.3.9 For the implementation of this policy, each State was divided into zones according to the breeds used in them. Thus, in the districts of Ahmedabad, Kaira, Broach and Surat. the breed to be used was 'Kankrej'. In the western tracts of U.P. like Saharanpur, Muzaffargarh, Aligarh, Mathura, etc., the breed proposed to be used was 'Hariana'. In the hilly tracts such as Dehra Dun, Garhwal, Almora and parts of Nainital, where the cattle are non-descript, Sindhi bulls were to be used.

### *Key Village Scheme*

15.3.10 It was envisaged that, mainly through the key village scheme that the programme of livestock improvement is being pursued by State Governments. This scheme provides for concentrated work in selected areas. • It envisages castration of scrub bulls, breeding operations controlled by artificial insemination centres (each of which is intended to serve about 5,000 cows of breeding age), rearing of calves on a subsidised basis, development of fodder resources and the marketing of animal husbandry products organised on co-operative lines. During the first five year plan 600 key villages and 150 artificial insemination centres have been established. During the second plan 1258 key villages, 245 artificial insemination centres and 254 extension centres are to be set up. The programme is intended to produce about 22,000 improved stud bulls, 950,000 improved bullocks and a million improved cows. The scheme has made encouraging progress, but in respect of fodder development and the marketing of animal husbandry products not much headway has been made. On the other hand, controlled breeding has found a large measure of acceptance and States have enacted the necessary legislation for implementing the scheme. In the early stages work in many key villages and artificial insemination centres was delayed for want of equipment and shortage of staff, but everywhere the local people have been willing to provide rent-free buildings and contribute in other ways to make the scheme a success. During the second plan a great deal of attention must be given to the fodder programme as this is an essential basis for the programme of cattle development. In each area efforts should be made to develop the limited pasture lands which are available. With the large programme envisaged in the second plan a high degree of urgency attaches to the provision of adequate staff, to better administrative planning of supplies and to public education in matters affecting animal husbandry development.

### **15.4 Third Five Year Plan**

15.4.1 The Third Five Year Plan document took note of the seriousness of the problem of surplus and uneconomic cattle, a problem which is widely recognised, although estimates of the numbers of such cattle vary. Since large numbers lead to poor feeding which in turn results in low productivity, weeding of inferior stock was a necessary complement to a programme of cattle improvement and systematic breeding. The gosadan scheme, which was worked out by the Cattle Preservation and Development Committee in 1948, was introduced as a partial answer to this problem. The scheme envisaged segregation of useless cattle so as to avoid their further multiplication and the resultant damage to crops. Although it was proposed to set up 23 more gosadans in the Third Plan, in its very nature, the programme for establishing gosadans presented certain difficulties, the most important of these being the non-availability of suitable sites in the interior of forest areas where the necessary grazing facilities are available. The scheme has been modified from time to time with a view to making gosadans a more economic proposition, providing facilities for the full utilisation of hides, bones, horns, and reducing overhead costs. Regarding the menace of wild and stray animals, the Plan document noted that, in the Second Plan, a scheme for catching, taming and disposing of wild and stray cattle was initiated as part of the gosadan programme and that the scheme was in operation in Delhi, Jammu and Kashmir, Madhya Pradesh, Punjab and Uttar Pradesh.

15.4.2 The Plan states that having regard to the size of the problem of surplus cattle and its special features, with a view to elimination of scrub male stock, it was proposed to

undertake a large-scale programme of castration during the Third Plan. The programme envisaged that mass castration work would be initiated first, in areas in which intensive livestock development programmes have been taken up and would be later extended to other areas.

#### **15.5 Fourth Five Year Plan**

15.5.1 This Plan has not specifically discussed the problem of surplus cattle but has talked about the cattle development programmes launched in the previous Plan period. It was proposed that the schemes of the Third Plan including those relating to cattle breeding farms, bull rearing farms, goshala development, control of wild and stray cattle and organisation of mass castration would continue and three central cattle breeding farms and eight bull rearing farms would be set up during the Fourth Plan period. It was also indicated that Sire evaluation cells would be established in each State.

#### **15.6 Fifth Five Year Plan**

15.6.1 The document for the Fifth Five Year Plan has not mentioned the animal husbandry sector, and while discussing the perspectives on agriculture has singularly concentrated on foodgrain production and related issues. Only in the Chapter on Plan Outlays and Programmes of Development, a small paragraph on Animal Husbandry and Dairy Farming finds its place. Here it has been acknowledged that there had been some delay in giving a start to the special livestock development programmes through small and marginal farmers and agricultural labourers. By and large, the targets under production oriented projects such as the intensive cattle development (ICD) projects were expected to be fully achieved. There were 85 subsidised projects for calf-rearing. It was envisaged that the emphasis would continue to be laid on cross-breeding of cattle through establishment of exotic cattle breeding farms and intensive artificial insemination measures.

#### **15.7 Sixth Five Year Plan**

15.7.1 While reviewing the position with regard to animal husbandry and dairying, the Sixth Plan document notes that the increase in productivity of cattle and buffalo received continuing emphasis since the advent of the Planning process and progressive introduction of artificial insemination technique using superior breeding bulls was the main plank for cattle development under the Key Village Scheme and the Intensive Cattle Development programmes.

15.7.2 The Plan document noted that several special livestock production projects through small and marginal farmers and agricultural labourers were formulated based on the recommendations of the National Commission on Agriculture. Under this programme, 99 projects for subsidised rearing of cross-bred heifer calves were taken up in different States.

15.7.3 The document speaks of the need to increase the productivity of cattle by making concerted efforts to contain the increase in the population of cows and she buffaloes and to change the structure of these populations by replacing non-descript local stock by high-producing cows of indigenous breeds, cross bred cows and improved buffaloes. To achieve this, States were required to frame their breeding policies.

## **15.8 Seventh Five Year Plan**

15.8.1 The Plan document for the Seventh Plan period speaks of the efforts to increase productivity of milch cattle in the previous Plan, through the establishment of 500 Key Villages and 122 Intensive Cattle Development projects. Cross-breeding with exotic dairy breeds was accelerated through the establishment of frozen semen stations in different States.

15.8.2 For increasing milk production and to improve draught power of bullocks, programmes for improvement of various breeds would continue, with emphasis on inputs like high merited breeding bulls, adequate and scientific feeding, modern management practices, provision of health facilities would continue and efforts would be made to bring at least 25 million cows under the cross-breeding programme.

## **15.9 Eighth Five Year Plan**

15.9.1 In the Plan for the Eighth Five Year Plan, the need for paying special attention to technologies being developed to make activities in the livestock and dairy development sector economically more remunerative for the farmers. Emphasis was sought to be given to research in frontier areas such as genetic engineering which would provide for rapid upgradation of cattle through the use of Embryo Transfer Technology, development of more effective vaccines to control livestock diseases and so on.

## **15.10 Ninth Five Year Plan**

15.10.1 The Ninth Plan paper documents a considerable improvement in production of milk during the previous Plan, which is attributed to the intensified activities particularly, in improvement of genetic stocks, through cross-breeding, effective control of diseases and the Operation Flood Programmes. The Ninth Plan sought to achieve the goals of doubling of food production and alleviation of hunger by adopting, for the first time, a Regionally Differentiated Strategy based on the agro-economic and climatic conditions of different regions. One of the note-worthy features of the strategy, from the Commission's point of view, is the emphasis on increased utilisation of chemical fertilizers to be accompanied by complementary use of farm yard manure, compost, green manure and bio-fertilizers for promotion of soil health.

15.10.2 Animal Husbandry and Dairying, contributing about 26% of the total agricultural output was recognised as an important tool for generating employment and supplementing incomes of small and marginal farmers and agricultural labourers. The specific areas identified for intervention and support included, scientific management of genetic stock resources and upgradation, breeding, producing quality feed and fodder and so on.

15.10.3 One of the key research areas identified under Animal Sciences discipline was Genetic resource enhancement of cattle and other animals, through selection / cross breeding / embryo biotechnology.

## **15.11 Tenth Five Year Plan (Proposals)**

15.11.1 The Planning Commission had set up a Working Group on Animal Husbandry to finalise the approach and strategies to be adopted during the 10<sup>th</sup> Plan Period (2002-2007).

The Working Group, in turn, set up 15 sub-Committees to study the different subject areas in greater detail.

15.11.2 In its Report, the Working Group on Animal Husbandry has, inter alia, stated that, in India, meat production is largely a byproduct system of livestock production utilizing spent animals at the end of their productive life. Cattle and buffaloes, which contribute about 60 % of total meat production, are primarily reared for milk and draught purpose, and in the end utilized for meat purpose subject to many limitations.

15.11.3 The Working Group felt that a national livestock breeding strategy should be evolved with a major thrust on genetic up gradation of indigenous/native cattle and buffaloes using proven semen and high quality pedigreed bulls and by expanding artificial insemination network to provide services at the farmer's level.

15.11.4 The Working Group felt that conservation of threatened breeds of livestock and improvement of breeds used for draught animal and pack should be the major goal of the Tenth Plan and that it should be a national priority to maintain diversity of breeds and preserve those showing decline in number or facing extinction.

15.11.5 The Group stressed that importance of feed and fodder in livestock production hardly needs to be emphasized and stated that special attention should be given to cultivation of fodder crops and fodder trees to improve animal nutrition. The Working Group felt that, although the area under permanent pasture and grazing land has been estimated at 11.06 million hectares, in actuality, the availability appeared to be much less. An integrated approach for regeneration of the grazing lands needs to be evolved. Due to improper management of common property resources and lack of coordination between different agencies involved, the productivity as well as carrying capacity of the present public and forestland are decreasing. This problem needs to be addressed on priority for sustainable and economic livestock production.

15.11.6 The Working Group felt that, the Ministry of Non-Conventional Energy Sources ((MNES) had done very little work in the field of draught animal power, and for this work the Ministry of Agriculture should be the nodal ministry. The Group recommended that a National Center for Animal Energy Development be established under the Department of Animal husbandry and Dairying as a Central Sector Scheme to coordinate all the activities related to the efficient utilization of DAP in collaboration with other Ministries/ Departments. The further recommendation was that a new programme, focusing exclusively on improvement and conservation of draught breeds of livestock should be initiated during Xth Plan.

## **16. Findings of Earlier Committees and Commissions**

16.1 The issue of a ban on cow slaughter was agitated over several decades in one form or the other both on the floor of the Parliament as well as outside. The Government set up various Committees and Expert Groups to look into the question as well as related aspects concerning development and preservation of the cattle wealth of the country. Some of the more important Committees / Commissions are discussed below.

### **Cattle Preservation and Development Committee (1947-48)**

16.2 An Expert Committee under the Chairmanship of Sardar Bahadur Datar Singh was constituted by Government Resolution dated 19<sup>th</sup> November 1947G. The introductory part of the Resolution reads as follows:

*“ It has been brought to the notice of the Government of India that large numbers of cattle are annually slaughtered in this country for meat, that this slaughter is often indiscriminate, that it includes animals of all ages and qualities and that the slaughter results in short supplies of milk and work bullocks and in the depletion of the country's cattle wealth. There has been considerable agitation in the press, on the platform and on the floor of the Legislature in regard to this matter, and Government has been urged to take immediate steps to prohibit slaughter by legislation. As this is a complicated socio-religious subject the Government of India have after careful consideration decided to appoint an Expert Committee of officials and non-officials to consider the question in all its aspects and to recommend a comprehensive plan of action which can be put into immediate effect for preserving the cattle wealth of the country and for promoting its development.*

*In considering the subject the Committee will pay particular attention to the following:-*

- (a) The cause and the extent of periodical variation in the population of each class of cattle and the effect of such variation on the supply of milk and bullock power.*
- (b) Detailed examination of the available statistics of slaughter, proportion of useful animals therein and an estimate of the material loss caused thereby.*
- (c) Population trend of old and unproductive cattle and the problem of their maintenance and economic utilization in view both of shortage of cattle feed and of prevailing sentiments against slaughter.*
- (d) How agencies like Gaushalas and Cattle Protection Societies and Salvage Centres can be utilized for preserving cattle wealth and for promoting its development.*
- (e) Review of existing regulations regarding restrictions on cattle slaughter and of the administrative arrangements for the enforcement of the regulations.*

16.3 While summing up general discussions, the Chairman observed that there was a large degree of unanimity in that the whole committee wanted cattle slaughter to be stopped completely. Majority of the members were of the view that prevention of slaughter should be enforced by legislation, while the minority was of the view that no legislative action should be resorted to. They held that the urge for stopping slaughter should come from within and that it would come when people were convinced of the economics of the whole matter.

16.4 In its final recommendation, made in its Report submitted in November 1948, the Committee said that slaughter of cattle is not desirable in India under any circumstances whatsoever, and that its prohibition shall be enforced by law. The Committee suggested that, the first stage, which should be given effect to immediately, should cover the total prohibition of slaughter of all useful cattle other than a) animals over 14 years of age and unfit for work and breeding and b) animals of any age permanently unable to work or breed owing to age, injury or deformity. The committee also suggested that unlicensed and unauthorized slaughter of cattle should be immediately prohibited and made a cognizable



offence under law. In the second stage, the Committee envisaged that slaughter of cattle should be prohibited totally. The Committee also made suggestions for arrangements for maintenance and care of serviceable and unproductive cattle and for development of feed and fodder etc.

#### ***Expert Committee on the Prevention of Slaughter of Milch Cattle in India (1954-55)***

16.5 A Committee of Experts was set up by Government Resolution dated 10<sup>th</sup> June 1954, under the Chairmanship of **Shri P.N.Nanda**, Animal Husbandry Commissioner, to consider what steps should be taken i) to prevent the killing of milch cows particularly in the cities of Calcutta and Bombay even when they had gone temporarily dry, ii) to make the present law on the subject more effective so as to put an end to such evil practices as 'phooka', iii) to explore the possibility of making milk powder in suitable centers and iv) to impose some effective control on the inter-state movement of cattle.

16.6 The Committee, in its Report submitted in January, 1955 found that the root cause of slaughter of milch cattle was the unnatural conditions under which animals were kept for milk production in urban areas. The sale of dry animals for slaughter became under these conditions an economic necessity. The only way in which the abuse could be permanently prevented was to follow the methods found most suitable by other countries, namely the removal of cattle from the cities and the arrangements of milk supplies from rural areas. By doing this, not only would the slaughter of prime milch cattle and all the accompanying evils be stopped for ever, but there would be large development of cattle and dairy industries of the country. The Committee felt that measures like legislative ban on slaughter and cruelty or salvage of animals which have already been mishandled and misused in city stable, will only be treating the symptoms and not curing the disease.

#### ***Gosamvardhan Seminar (1960)***

16.7 The problems of salvage from cities and towns of milch stock when they go dry and their calves and ways and means for preserving good-quality cattle in the breeding areas were discussed at the Gosamwardhana Seminar at Mount Abu in June 1960. The Seminar, organized by the Central Council of Gosamwardhana, felt that the problem of preservation of cattle in breeding areas was linked with the system of milk supply to the big cities and therefore the only solution was to remove the milch cattle from cities and town to rural areas. As an interim measure, the good quality animals should be salvaged. The Committee suggested that the provisions of the Prevention of Cruelty to Animals Act should be rigidly enforced so that the health of animals was maintained. Dry-stock farms, operated by private enterprises should be tried out, for maintaining animals when they are dry. Railway freight should be subsidized for movement of the animals.

#### ***Special Committee on Preserving High-yielding Cattle (1961-62)***

16.8 Programmes for implementing the recommendations of the Nanda Committee and the Gosamwardhan Seminars were taken up by the States concerned under the Five Year Plans but the scope of the programmes was limited. Meanwhile, the exodus of the superior types of milch cattle from the breeding areas continued in an accelerated manner, in view of the larger demand for milk in urban areas. Alarmed at this situation, the Central Council for Gosamvardhans set up a special high-powered committee for suggesting comprehensive

proposals on long-term and short-term measures for solving the problem. Vide its Memorandum dated 29<sup>th</sup> September, 1961, the Council constituted the Special Committee on Preserving High-yielding Cattle under the Chairmanship of **Shri Shriman Narayan**, Member (Agriculture), Planning Commission. The Committee was asked to examine in detail, the various measures necessary for preserving high-yielding cattle in the breeding tracts, control on the import of milch cattle into city stables, salvage of dry cows and young stock in the cities and suggest a comprehensive programme for implementing the recommendations.

16.9 In its Report, submitted in July 1962, the Committee made several recommendations for preservation of high-yielding cattle in their breeding tracts. Some of the major recommendations are paraphrased below:

- In order to prevent the depletion of stock of good quality cattle from breeding tracts through unrestricted removal of a large number of high-yielding milch cattle to areas outside the States, the States concerned should undertake legislation for the registration of milch cattle and for controlling their removal outside the State, keeping in view the problem as a whole affecting the various States.
- With a view to coordinating and controlling the large-scale movement of milch cattle from the breeding tracts, the Ministry of Food and Agriculture should examine the need for a comprehensive Central Legislation for the preservation of cattle and development of dairying.
- Implementation of various cattle development schemes should be concentrated in the breeding areas and around dairy projects in the Third Five Year Plans of States like Punjab, Uttar Pradesh, Bihar and Gujarat.
- The various schemes drawn up by the States for the preservation and improvement of cattle should receive a high priority and necessary funds for their implementation be allocated in the annual Plans of the States.
- To control import, maintenance and movement of milch animals in Bombay, licensing of all cattle within the city should be made compulsory. Similarly, Rules should be formulated for import and export of milch animals by various State Governments in consultation with one another and permits should be compulsory for movement of animals to cattle owners who salvage dry animals satisfactorily and adopt improved animal husbandry practices.
- The West Bengal Animal Slaughter Control Act should be enforced more rigidly and the Act should be suitably amended so as to provide for the prohibition of import and sale of contraband beef in the city. The Act should be extended to other Municipal areas also and, wherever possible, non-officials should be associated in its enforcement.

## **17. Legislation regarding ban on Cow slaughter**

17.1 As mentioned earlier, Agriculture and Animal Husbandry being in the domain of the State Government, and by virtue of Entry 15 of List II of the Seventh Schedule of the

Constitution, presently, the States alone are empowered to enact legislation for the prevention of slaughter and for preservation of cattle. Consequent upon the adoption of the Constitutional Provisions, several State Governments and Union Territories enacted Cattle Preservation Laws in one form or the other.

17.2 The following State Governments and Union Territories have enacted legislation relating to prevention of slaughter of cow and its progeny:

- |                     |   |
|---------------------|---|
| 1. Andhra Pradesh   | 16. Tamil Nadu                          |
| 2. Assam            | 17. Uttar Pradesh                       |
| 3. Bihar            | 18. West Bengal                         |
| 4. Goa              | 19. Manipur                             |
| 5. Gujarat          | 20. National Capital Territory of Delhi |
| 6. Haryana          | 21. Uttaranchal•                        |
| 7. Himachal Pradesh | 22. Jharkhand•                          |
| 8. Jammu & Kashmir  | 23. Chhattisgarh•                       |
| 9. Karnataka        |   |
| 10. Madhya Pradesh  | Union Territories                       |
| 11. Maharashtra     | 1. Andaman & Nicobar Islands            |
| 12. Orissa          | 2. Chandigarh                           |
| 13. Punjab          | 3. Dadra and Nagar Haveli               |
| 14. Rajasthan       | 4. Daman-Diu                            |
| 15. Sikkim          | 5. Pondicherry                          |

17.3 Kerala is a major consumer of beef and the absence of any regulation on slaughter of cow and its progeny has led to slaughter of untold numbers of cattle, most of them being smuggled into Kerala from neighbouring States of Tamil Nadu, Karnataka and Andhra Pradesh.

The following States / UTs have no legislation.

- |                      |                      |
|----------------------|----------------------|
| 1. Arunachal Pradesh | 5. Nagaland          |
| 2. Kerala            | 6. Tripura           |
| 3. Meghalaya         | 7. UT of Lakshadweep |
| 4. Mizoram           |                      |

### Lack of uniformity in existing legislations

17.4 A Statement showing the main features of the legislations enacted by the different States and Union Territories is at **Annex II (8)** to this Report. It will be seen that there is a complete lack of uniformity in these State laws. By and large, most of the laws prohibit the

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• The newly-formed States of Uttaranchal, Jharkhand and Chattisgarh are following the laws of un-divided Uttar Pradesh, Bihar and Madhya Pradesh respectively, as they are still to formulate their own laws.

slaughter of cows of all ages. However, Assam, Tamil Nadu and West Bengal permit the **slaughter of even cows** of over 14, 10 and 14 years of age, respectively. Most States prohibit the slaughter of calves, whether male or female. However, except for Bihar and Rajasthan, where age of a calf is given as below 3 years, the other Acts have not defined the age of a calf. In Maharashtra, the Commission was told that the definition of calf being followed, by some executive instructions, was 'below the age of 1 year'.

17.5 Delhi, Gujarat, Madhya Pradesh, Punjab and Rajasthan have banned totally the slaughter of cow and its progeny, including bulls and bullocks of all ages. The Uttar Pradesh Act permits the slaughter of bulls and bullocks of over 15 years or who have become permanently incapacitated. However, by an Ordinance issued in 2001, the Uttar Pradesh Government prohibited the slaughter of cow and its progeny.

17.6 Most of the legislations specify that offences would be cognisable. However, only Delhi, Goa, Pondicherry, Punjab and Uttar Pradesh have made the offences both cognisable and non-bailable. The maximum term of imprisonment varies from 6 months to 5 years (Delhi and Haryana) and the fine from Rs. 1,000 to Rs. 10,000. Delhi and Madhya Pradesh have fixed minimum term of imprisonment at 6 months.

## **18. Trends in population of cattle**

18.1 As has been brought out in the detailed chapters, there is a lack of timely and accurate data of cattle population in the country. The results of the 1992 Livestock Census are the latest compiled and validated data available, even ten years later. The 1997 results have just been compiled, and these too are incomplete, as Bihar and Dadar & Nagar Haveli did not conduct the 1997 Census. The 2002 Census has not even begun and the results will be probably available in another five years, if the time lag continues to occur as it has been doing so far. Since lack of timely data hinders the formulation of policies to correct negative growth trends. The DAHD should take over the work of Livestock Census and arrange to make the detailed results available within 1 year of the Census, while the provisional figures should be released much earlier.

18.2 If we look at the figures received from the Department of Agriculture and Cooperation, as given in **Annex II (9)**, we find a disturbing trend in growth rates, with several States showing negative growth during the 5 years between 1992 and 1997. Commission feels that this trend would continue to manifest itself in the 1997-2002 period, once the 2002 results are known.

18.3 From the available figures, it is seen that Andhra Pradesh, Assam, Gujarat, Goa, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Manipur, Mizoram, Orissa, Punjab, Sikkim, Tamil Nadu, Uttar Pradesh and Daman & Diu are the States and Union Territories where the cattle population has declined in the five years between 1992 and 1997. The cattle population of Karnataka has come down by 23.42 lakhs, with an average annual negative growth of -3.55%. Surprisingly enough, the heart of the so-called 'Cow Belt', Uttar Pradesh has shown a decline of over 35.88 lakhs during the five years, which coupled with the negative growths in Gujarat, Madhya Pradesh, Orissa and - of all places - Punjab, shows a very disturbing trend indeed. The Commission fears that this trend would be all the more pronounced by the time the 2002 Census is conducted and figures made available.

18.4 The total cattle population of the country, excluding Bihar and Dadar/Nagar Haveli, has declined from 182.38 million in 1992 to 175.053 million in 1997, which means an average annual negative growth of over  $-0.8\%$ . The Basic Animal Husbandry Statistics 2002 puts the provisional total population of cattle in the country in 1997 at 197.71 million, as compared to the figure of 204.58 million cattle in 1992, which means a decline of 68.70 lakh cattle in five years, or an annual negative growth of  $-0.67\%$ , as compared to a positive annual growth rate of  $0.49\%$  in the preceding five years period, i.e., 1987-1992. **It is for the first time since 1951**, that the total cattle population in the country has shown a negative growth as will be seen from the figures given below, as extracted from Annex I (23). The Commission hopes that the Government will wake up in time and take steps to arrest the disastrous trend in depletion of cattle wealth of India. The oft-repeated argument of strain on fodder resources if the population of cattle is allowed to increase does not hold good in a situation where the population is actually decreasing. There are other ways of controlling indiscriminate growth of cattle, which can be put in place, once the population growth rate stabilises at a reasonable and sustainable level.

Extracts from Table at Annex I (23) showing livestock population and growth rates

(in million numbers)									
Species	1951	1956	1961	1966	1972	1977	1982	1987	1992
1. Cattle	155.30	158.70	175.60	176.20	178.30	180.00	192.45	199.69	204.58
2. Adult Female Cattle	54.40	47.30	51.00	51.80	53.40	54.60	59.21	62.07	64.36

Annual Growth Rates								
Species	1951-56	1956-61	1961-66	1966-72	1972-77	1977-82	1982-87	1987-92
1. Cattle	0.43	2.04	0.07	0.24	0.19	1.35	0.74	0.49
2. Adult Female Cattle	-2.76	1.52	0.31	0.61	0.45	1.63	0.95	0.73

18.5 The Commission got a Quick Cattle Survey conducted through the Field Operations Division of the National Sample Survey Organisation, at the initiative of Smt. Maneka Gandhi, the then Minister of State for Statistics and Programme Implementation and Animal Welfare. The NSSO conducted a survey in two Districts of Andhra Pradesh and two Districts of Haryana. Although the sample size was too small to come to any definite conclusion, the survey came up with certain findings, which deserve to be studied in greater detail by the Department of Animal Husbandry and Dairying. This study should be taken as a pilot survey and the design and methodology should be modified to suit the needs of the Department, so that the survey could be conducted on a larger scale. Once a representative sample is studied, conclusions can be drawn for development of a broad-based policy for dealing with the problem of declining numbers, and for preserving and developing the precious cattle resources of the country.

## 19. Public Hearings and Meetings with officials

19.1 Starting from mid-January 2002, the Commission held a series of public hearings, in all the States and ending in Tamil Nadu. The schedule of the public hearings that were held, in two or more places in all the States, except in Jammu & Kashmir and in the North-

Eastern States and the smaller Union Territories, is given at **Annex II (10)**, along with the names of the Members who attended these meetings and public hearings.

19.2 The response in terms of attendance at the public hearings varied from 'very good', in States like Madhya Pradesh, Rajasthan, UP & Tamil Nadu to 'very poor' in Kerala and the North East.

19.3 The Commission ensured adequate publicity for these hearings with notices appearing in national as well as local vernacular dailies before the date of the public hearings. These notices explained the terms of the reference of the Commission and sought the views and suggestions from all interested members of the public on this important national issue.

19.4 Although the Commission did make efforts to obtain the views of persons, who may subscribe to the opposite school of thought, for whatever reason, unfortunately, the attendance from this section of the society was lacking. The opportunity of expressing the views was given at each meeting by the Acting Chairman, and the people were asked to speak their minds without fear or prejudice. However, except for a very few isolated cases, the dissenters kept away, probably because they just do not care and are indifferent. Since adequate opportunity was given, it is not now open to them to say that their views were not solicited by the Commission.

## **20. Preparation of the Report and Acknowledgements**

20.1 Each of the Committees were asked to provide their inputs and reports to the Acting Chairman, which have been included in the form of different Chapters on the various issues given to the Commission. The draft of the Report, prepared by Justice Lodha, especially the Introduction and the Recommendations, was discussed at various meetings, some even during the tours for the public hearings in the States.

20.2 In the last meeting of the Commission held on 23.6.2002 the report was approved by the Members present. The Report was also briefly discussed with Shri Dharampal, the Chairman when Justice Lodha visited him in Sevagram. Shri Dharampal made some suggestions for editorial changes and presentation of the Report, which have since been incorporated by the Member Secretary.

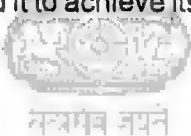
20.3 The blessings of His Holiness Jagadguru Sankaracharyaji Jayendra Saraswati of Kancheepuram were sought by the Commission when it launched its work as well as at the final stage, before submission of the Report. Mahaswamigal's views on some of the issues are given in brief at **Annex II (11)**. It was not possible for the Commission to reproduce the views of many important personalities. However, the replies to the questionnaire of the Commission by a sitting High Court judge, Justice Pratibha Upasani are placed at **Annex II (12)**.

20.4 Hon'ble Justice R.N. Misra provided valuable guidance and also participated in all important activities and drafted the Chapter on "Legislation", which has been accepted by all other members, who have added some material.

20.5 Ms. Ingrid E. Newkirk, from the organisation PETA, could not participate in the Commission meetings as she resides in USA. Vide her letter dated 27.6.2002, Ms. Newkirk informed the Commission that she would not be a signatory of the Report of the Commission. Another Member, Shri L.N.Modi resigned from the Membership of the Commission. His Holiness Jagadguru Sri Balagangadharanatha Mahaswamiji, of Bangalore also could not participate in any of the meetings of the Commission. However, when the Commission visited Karnakata, he gave his blessings both in the Muth and by attending the public hearing at Mysore. He has broadly supported the recommendations for Central Legislation for prohibition of Slaughter of Cow and its progeny.

20.6 The report has been prepared by the Acting Chairman, with inputs from all Conveners of the Sub Committees and from the Member Secretary. The Commission wishes to convey its appreciation to the Consultants, Dr. Niranjan Misra, Shri Udaylal Jaroli, Shri A.V.Sharma and Dr. Dorle, who have worked in the various Committees. Dr. Niru Vora, APS to the Chairman, rendered invaluable service to the Commission by systematically documenting and cataloguing the huge volumes of papers received by the Commission. Shri R.P. (Nutan) Aggarwal, also handled the public relations work of the Commission ably and efficiently.

20.7 Special thanks are due to Shri R.K.Joshi, Viniyog Parivar, Mumbai, who provided valuable inputs to the Commission, on a purely honorary basis. The Commission would also like to thank organisations like Govigyan Bharati and Love4Cow Trust, for their important contributions, such as the latter's concept of Cow Sanctuaries. Chairperson, NDDB also provided valuable suggestions, especially with regard to organic farming and environment and conservation issues, and Commission would like to thank her. Since it is not possible to do so individually, the Commission would like to collectively thank the numerous other organisations, individuals and members of the public from all walks of life, who have supported the Commission and helped it to achieve its task, within the given frame of time.



## **CHAPTER - VIII**

### **RECOMMENDATIONS OF THE COMMISSION**

**The Recommendations of the National Commission on Cattle are as follows :**

1. The Prohibition for slaughter of cow and its progeny, which would include bull, bullocks, etc., should be included in Fundamental Rights or as a Constitutional Mandate anywhere else, as an Article of the Constitution. It should not be kept only in the Directive Principles or / Fundamental duties as neither of these are enforceable by the courts.
2. The amendment of the Constitution should also be made for empowering the Parliament to make a Central Law for the prohibition of slaughter of cow and its progeny and further for prohibition of their transport from one State to another. This may be done by shifting the subject and relevant item from the State List to the Central List, or at least to the Concurrent List in the Seventh Schedule of the Constitution.
3. The Parliament should then make a Central Law, applicable to all States, prohibiting slaughter of cow and its progeny. Violation of the Law should be made a non-bailable and cognizable offence. There should be provision for sessions trials for offences committed under the Law, with a punishment of a minimum of three years of rigorous imprisonment and maximum 10 years of rigorous imprisonment with fine. The burden of proof should be on the accused to prove his innocence.
4. The Central Government should constitute a permanent National Cattle Development Commission or Rashtriya Goseva Ayog for preservation and development of cattle all over the country. The Commission should be provided with adequate funds, of say, at least Rs. 100 crores per year
5. There should be a separate Ministry for Cattle Preservation and Development. It should not be under the Department of Animal Husbandry, whose basic mandate is not for cattle preservation but for livestock development and for production of livestock products, including meat products.
6. The Animal Husbandry Department should be reorganized and the subjects allotted to it and the objectives given to it, should be for preservation and development of animals and not for animal food by way of meat, etc.
7. No financial aids should be given by Animal Husbandry or Agriculture Departments for construction, renovation or maintenance of slaughter houses.
8. There should be a complete ban on export of beef and veal. Also, steps should be taken to ensure that beef or veal is not allowed to be exported under the guise or pretext of buffalo meat
9. The Central Government should ensure constitution and functioning of Goseva Ayogs in each of the States and also provide these bodies with adequate funds. These Ayogs should be monitored by the "Rashtriya Go Seva Ayog" to be set up by the Government of India, as proposed above.



10. The implementation of the Cattle Protection Laws should be ensured through the following:

- Creation of Central Cattle Protection – Rapid Task Police Force with regional offices and branches in all States. It should have a special force deputed on the Bangladesh border to prevent the cattle exodus from the border States and also on the Kerala's borders with Tamil Nadu, Andhra Pradesh and Karnataka.
- In view of Articles 48 and 51 (g) of the Constitution of India, appropriate directions may be given under Article 355 or any such provision of the Constitution, to Kerala, Nagaland, Mizoram, Arunachal Pradesh, Tripura, Manipur and other North Eastern States to enforce the prohibition on slaughter of the cow and its progeny. Special directions may be given to Kerala to stop importing cattle from neighbouring States for slaughter.
- The provision of the existing laws for prevention of cruelty to cattle during transport by rail, truck, road or otherwise, should be effectively enforced. Cruelty to cows during extraction or let-down of milk by giving injections, such as oxytocin, should be prohibited by law and the prohibition should be enforced.
- The Government should issue a Circular banning production of leather of slaughtered cattle and a mechanism for its enforcement should be evolved. Export of goods made of such leather should be banned.
- The penal laws of preventive arrest and detention like POTO, etc., should be amended to detain smugglers and organised mafia gangs, who indulge in large-scale smuggling of cattle to Bangladesh, West Bengal and Kerala and also in sale of cattle to illegal slaughter houses, operating all over the country.

11. Cross-breeding of indigenous breeds with imported cattle like Jersey should be prohibited, especially in the breeding tracts of important indigenous breeds. Conservation and preservation of these indigenous breeds should be encouraged. A National Breeding Policy should be evolved and special plans should be developed and implemented, with sizeable financial assistance for developing and preserving indigenous breeds throughout India.

12. Subsidies for purchase of tractors and mechanical appliances for Agriculture should be stopped. Instead, the use of bullocks in ploughing and bullock-driven tractors, generation of power through indigenous electrical equipment and carts should be subsidized, promoted and encouraged.

13. The report of the Organic Manure Task Force Committee 2001 should be accepted and its recommendations implemented in total.

14. The use and production of chemical fertilizers and chemical pesticides should be discouraged, subsidies on these items should be reduced or abolished altogether. The use of organic manure should be subsidised and promoted.

15. The recommendation of the XI Sub Group (on Meat Sector) set up by the Planning Commission for the 10<sup>th</sup> Plan proposals should be rejected outright.

16. Gaushalas, Gosadans and Pinjrapoles should be organized through voluntary organizations both by Central and State Governments. The Government should give financial aid for construction and maintenance of such Gaushalas on the basis of matching grants for day-to-day expenses; and 70 per cent grant for capital expenses for construction. They must be allowed free land or land at concessional rates, both for construction and for grazing purposes. Sufficient land should also be given for growing fodder for the cattle in these organisations.

17. Pasture lands should be protected, developed and provided for grazing of cattle belonging to farmers at the village level. Forest laws should be amended to provide grazing facilities for cattle within the forest areas or in the outlying lands fringing on the forests.

18. The use of Gobar (cow dung) and Gomutra (cow urine) of indigenous breeds of cattle should be promoted extensively in agriculture in the form of different manures, composts, Pest-repellents and pesticides.

19. Encouragement should be given to research in cow urine therapy such as that done by the Govigyan Anusandan Kendra, Devalapar, Nagpur and CSIR at Lucknow and other centers, which led to the recent grant of American Patent No.6410059 for use of cow urine "Ark" (Distillate) for enhancing the effect of anti-cancer medicines.

20. The Information and Broadcasting Ministry should under take propagation for awareness campaign of qualities and virtues of cow milk, cow products, cow urine and cow dung. Acceptance of "Panchgavya" by Ayurvedic Sytem of Medicines should be widely propagated and its benefits explained to the people. The medicines from cow products and organic manure utilization should also be given wide publicity by Government Media.

21. In the education and awareness campaign, "Farmans" issued by various Mughal emperors, Akbar, Humayun, Jahangir, and Bahadur Shah Zafar prohibiting cow slaughter during their rule should be widely advertised both in electronic media and other media.

22. In the educational curriculum, the subjects should be introduced on Panchgavya therapy, cow milk, cow urine and other by products of cow, the use of cow and bullock in agriculture, organic manure and medicines prepared from cow dung and cow urine.

23. All India University should be established for the above and such subjects should be introduced in all Universities particularly Agricultural Universities and on Animal Sciences and in Veterinary Colleges and Universities and Hospitals.

24. The cultivation of fodder and manufacture of feed for cattle should be encouraged. The States should be asked to ensure production of fodder and feed in proportion to the size of their cattle population.

25. In some States, such as Punjab and Haryana, standing crop residues which can be used as fodder are burnt. This should be made a penal offence as precious fodder is being wasted, whereas many States are deficient in fodder.

26. On the pattern of Food Corporation of India, a Fodder Corporation of India should be constituted and branches should be established in each State with storage facilities.

27. The Agricultural Universities and Agriculture Ministry with Forest Ministry collaboration should ensure special fodder production drive. The State Governments and the Central Government should subsidise the fodder sale on the pattern of food subsidies given to 'Below Poverty Line' (BPL) Indian citizens from ration shops, through the Public Distribution System.

28. A circular should be sent by the Central Government directing that the State laws and Municipality laws, prohibiting keeping of cattle in Civil Lines and cities, should be suitably amended to permit the house owner to keep 2 to 4 cows and their progeny in their houses or campus even in the city areas or town areas. At the same time, strict action should be taken against those cattle owners who allow their cattle loose on the streets.

29. A circular should be sent to the State Governments Panchayats and Municipalities to regulate control, remove and maintain the stray cattle wandering on streets and roadsides without owners. They should be kept in cattle houses or cattle compounds to be maintained by the local Self-Government institutions, Municipalities and Panchayats.

30. The Commission recommends that early steps may be taken for a Parliamentary Legislation applicable to the whole country by repealing various legislations now in force and a resolution as contemplated in Article 249 (i) may be passed by the Rajya Sabha or action under Article 252 could also be initiated, and a central legislation on the subject could be brought about to achieve the desired objects and the common problems in different States could be taken care of by such common legislation.

31. While amending the Fundamental Rights chapter of the Constitution, a proviso to Article 19 may be added after sub clause 5 - "*provided, the right to carry on any trade or business shall not in any way extend to the slaughter of the cow and its progeny and / or to conduct business/trade in Beef*".

32. Similar proviso to be added to Article 301 "*provided, the right to carry on any trade or business shall not in anyway extend to the slaughter of the cow and its progeny and/or to conduct business/trade in Beef*"

33. In the Concurrent List, the following to be added:

- a) Prohibition of Slaughter of cow and its progeny.
- b) Laws relating to the movement of cow and its progeny from State to State.

34. To declare the Indian breeds as the national wealth of India and no slaughter of any native breed of our country shall be permitted at any cost.

35. It is recommended that a Central Cattle Commission be permanently constituted, which shall have as representatives, at least eight Members / Directors, one each in charge of i) feed and fodder; ii) cattle movement; iii) on enforcement; iv) grazing lands; v) breeding; vi) research, analysis and development; vii) organic farming; and viii) veterinary medical services. Such cattle commissions should also be set up in each State.

36. Grazing lands should compulsorily be set apart, whether Government allotted or temple lands. Use of these lands should be exclusively made available only for cattle grazing and should not be allowed for any other use.

37. If there are any grazing or pasturelands, which have been encroached upon, the encroachment should be immediately removed by the concerned Government authorities.

38. Every State must have a Breed Center, which should concentrate on the development of the indigenous breeds and not on foreign breeds. These breeding centers should also upgrade and develop the breeds.

39. A Cattle Census should be taken regularly and its results compiled speedily. Breed-wise numbers should be recorded and every indigenous breed must be registered.

40. A Cattle Laws Enforcement Directorate should be constituted, which shall be in charge of the movement of cows, bulls, bullocks and calves from place to place and State to State and also monitor whether the cow / cattle moved out from one State, has been utilized for the purpose for which it was sought to be moved.

41. Centres for promotion of the usage of cow urine, dung and Panchagavya, medicines, etc and also research centers to be constituted for the promotion of production and use of alternative source of energy, such as Gobar gas, alternative methods of farming, through use of draught animal power, organic manure, cow urine pesticides etc.

42. Export and Import of beef to be totally banned.

43. "Save the Indian Breed" Campaign to be launched all over the country.

44. There must be a constitutional status of Cow as the National Animal (Rashtriya Prani) and killing of cow and its progeny should be made a constitutional offence.

45. All types of manufacture, sale, use and import of Polythene Bags should be banned and prohibited.

46. Throwing eatables or eatable waste in polythene bags on the streets, roads or in dust bins, within the reach of cattle consumption, should be made a penal offence.

47. The Government should encourage and implement breeding policy by which a genetic improvement and upgradation of existing cross-bred cattle should be brought about by further crossing with good indigenous breeds.

48. The auctioning of all the working bullocks in the Municipality Corporations, Panchayats and other places should be stopped. Instead, they should be given retirement and maintained till they die their natural deaths. Their work had been utilized throughout their working life and after that their dung can continue to be used for production of organic manure..

49. Temples and religious places, should be prohibited from selling or auctioning the cattle, which are donated or gifted by worshippers. The trustees of these places should either keep the cattle in their own Goshalas or give them to nearby Goshalas for maintenance.

50. The various recommendations made by the Commission are based on the suggestions given by the Committees on different issues, given in the relevant Chapters viz. Chapter III

on Administration of cattle laws; Chapter-IV on Legislation; Chapter V on economic contribution of cattle and by-products of cow and its progeny; Chapter VI on Goshalas and Fodder; and Chapter VI on Breeding and preservation and improvement of breeds. The Commission recommends that the detailed suggestions given by these Committees, should be also accepted and implemented by the concerned Department or Departments of the Government of India and the State Governments and treated as the recommendations of the Commission itself.

**The recommendations of the individual Committees are summarized below.**

## **I. COMMITTEE ON ADMINISTRATION OF CATTLE LAWS**

### **SUMMARY OF SUGGESTIONS / RECOMMENDATIONS – Chapter III**

- 1) The Government of India must enact a Central Legislation for protection of cattle wealth and totally prohibiting its slaughter. The inclusion of the subject of animal husbandry in the State list is not a impossible hurdle to overcome. This issue should be considered as an issue of vital national interest and rising above politics, the Parliament must enact a Constitution amendment to bring the subject in the Concurrent List to enable the Parliament to enact the law.
- 2) In the meantime, all the State laws should be studied by a Central agency (if possible by the Law Commission) and they should suggest amendment in laws to bring about consistencies in definitions and other provisions. The provisions regarding definitions, scope, burden of proof, cognizability of the offence, penal provisions etc. should be made uniform. The arbitrary powers given to the Competent authorities (which are mainly veterinary doctors) should be withdrawn and some other arrangement must be thought about.
- 3) The Home Ministry should direct the States to constitute special squads in the Police department to check illegal slaughter, illegal transportation within the States and outside the State, particularly to Kerala and West Bengal. They should be directed to extend full support, co-operation and protection to animal welfare activists. They should also be directed to immediately register FIRs, institute legal cases and ensure their speedy disposal, so that the culprits are punished as per law.
- 4) In many State Acts there are a number of exemptions from the main provisions imposing complete / partial ban on slaughter. The exemptions are used more as rule and the very purpose of the legislation gets defeated. Hence any type of exemptions should not be provided in the Act.
- 5) Special arrangements to check smuggling on the boundaries with Bangladesh in the East and Pakistan in the West (Gujarat / Kutch borders) should be made. If necessary a section of BSF or Army may be entrusted with this responsibility.
- 6) The Government should impose a total ban on meat exports, which alone can check slaughter of cattle for clandestine export of beef in the guise of buffalo meat.

7) Express provisions for granting custody of cattle, which are seized while being taken for illegal slaughter, to the animal welfare organisations must be made in all the State laws together with provisions for payment of maintenance charges to these organisations.

8) Booking of cattle for transportation for any purpose by railways must be completely banned. The high cost of road transportation will act as some impediment to illegal transportation for slaughter.

9) The Government should come out with provisions in State laws for confiscation of vehicles (trucks/tempo) used by the meat traders for illegal transportation of cattle. Similar provisions for confiscation of vehicles, used in theft / smuggling of forest produce, exist in forest laws.

10) The Transportation of Cattle Rules under the Prevention of Cruelty to Animals Act, 1960 should be strictly implemented and, even otherwise, the implementation agencies must be strengthened and oriented to the need for cattle preservation.

11) The penal provisions in the State laws as well as in the Prevention of Cruelty to Animals Act should be more stringent with higher fines and longer terms of imprisonment. There should also be a provision for automatic review of acquittal orders of the Lower Courts by a superior court.

12) Temples should not be permitted to auction the cows and calves received as 'gifts' or 'donations' from devotees.



## II. COMMITTEE ON LEGISLATION

### SUMMARY OF SUGGESTIONS / RECOMMENDATIONS – Chapter IV

1) The Commission recommends that early steps may be taken for a Parliamentary Legislation applicable to the whole country by repealing various legislations now in force (paragraph 16 – Part I).

2) The Commission is of the view that Entry 15 of List II should be shifted to List III to enable Parliament to give proper attention to the matter and bring about proper legislation (paragraph 18 – Part I).

3) Early steps should be taken to move the Supreme Court for a review of the judgement delivered in Hanif's case, in respect of the third category shown in the judgement (paragraph 25 – Part I).

4) There should be a provision embodied in the Act recognizing the right of the Indian Citizen to a slaughter-less society of the cattle species and, extending the protection to the two categories now excluded from protection, namely bulls and bullocks after they have ceased to be capable of breeding or working as draught animals should be provided by law (Paragraph 26 – Part I).

5) The Commission suggests to the Central Government to create public opinion against beef-eating and stop killing of the bull and bullocks in addition to cows and calves (Paragraph 27 – Part I).

6) The Commission recommends that the existing law should be strictly followed and penal action should be effective, so that violation is reduced and the law is implemented (Paragraph 29 – Part I).

## **II. COMMITTEE ON BI-PRODUCTS, DUNG, URINE, BIO-GAS, ELECTRICITY**

### **SUMMARY OF SUGGESTIONS / RECOMMENDATIONS – Chapter V (Part I)**

1. Intensive efforts must be initiated immediately to identify and preserve all the indigenous breeds of cows and bulls.
2. Policy of cross breeding with exotic breeds must be reviewed immediately. Efforts must be made to upgrade indigenous breeds with suitable other indigenous breeds. Such cross breeding must be made with well-defined aims and objectives and must be based on scientific and genetic characters. Cross breeding policy must be reviewed periodically on the basis of the results of previous experiments.

A central / regional cattle research institute be established to serve as a guide for this purpose.

3. Research programmes, as identified below, should be undertaken, encouraged and supported in national institutions, universities and non-government institutions:
  - 1) Genetic and other studies necessary for characterization of indigenous cattle breeds and for using as parameters for selection of breed for indigenous intra-breed cross breeding with an aim to upgrade them.
  - 2) Identification of anatomical characters (such as hump), which are characteristics of indigenous breeds and to study their physiological significance.
  - 3) Comparative chemical, microbiological and immunological analysis of milk and urine and dung of various indigenous cattle breeds and buffaloes with special reference to their agricultural, medicinal and nutritional significance.
  - 4) Chemical and microbiological analysis of fertilizers and pest repellants, produced from cattle urine and dung with a view to serve as evaluation parameters of these products.
  - 5) Technological studies for optimization of production operations involved in agricultural products from cattle.
  - 6) Determination of quality control parameters for raw materials and finished products from cattle. Attention may also be given to various stages of

development and physiological condition of health & diseases when such raw materials may be accepted or rejected.

- 7) Verification of clinical and medicinal claims made in ancient literature related to health sciences with regard to medicinal properties of products obtained from various breeds of cattle. Pharmacological, microbiological, immunological, and toxicological studies of these remedies.
  - 8) Development of best-suited technological operations which are necessary for optimal efficacy of the medicinal products obtained from cattle urine, dung, milk, buttermilk and Ghee and any other such product.
  - 9) Determination of quality control parameters for raw materials including age, health and physiological status of cow used for production of medicinal products from milk, Ghee, butter-milk, urine and dung (and any other secretion) of cows.
  - 10) Research on bio-fertilizers and bio-pest repellants to determine their soil and crop specificity. Composition and efficacy of fertilizer obtained from dead cow's horn merits special attention.
  - 11) Influence of cow's urine on rate of germination of seeds and plant growth. Presence of plant and human immuno-stimulant substances in cow's urine.
  - 12) Development and evaluation of technology for production of mechanical, thermal and electrical energy from cattle.
  - 13) Efficacy and utility of radiation-preventing ability of cow dung.
  - 14) Development of eco-friendly methods of disposal or replacement by other suitable substitutes of polythene bags and other materials.
  - 15) Utilization of cow's milk as immunogen transmission vehicles through hyper-immune cow.
  - 16) Use of lactic acid bacteria as nutrient and for medicinal purpose especially for production of antibiotic substances.
  - 17) Suitability of species of earthworm for production of Vermicompost and their ecological effect.
  - 18) Plant Antibiotic substances in cow's urine.
  - 19) A 'cow urine concoction' is seen to be useful in medical practice in many ways in the country. Usefulness of such formulation from indigenous species may be investigated.
  - 20) Technology and quality control aspects of cosmetic products from products of cattle.
4. A broad-based review committee be constituted at national level which should review the progress in the area of research and utilization of cattle products. The committee should guide the various research institutions, other organizations and departments involved for means of optimal utilization of cattle products.
  5. Possibility of utilizing vegetable and kitchen waste in all the municipal areas in the country for production of vermicompost should be seriously examined and implemented wherever feasible. Such efforts are in progress in the city of Mumbai and advantage could be derived from that experience.



6. Indiscriminate throwing of plastic and polyethylene bags must be banned. A suitable systematic plan of disposal of plastic & polyethylene bags must be evolved and implemented. A public education program in this respect must be initiated.
7. Education programme for farmers concerning benefits of organic farming by using bio-fertilizers and bio - pest repellants must be started. Agricultural universities and departments and non-government organization may be involved in such programmes.
8. The useful medicinal products are available from cattle products. The drug control authorities in the country should, after thorough examination, include such products in Indian pharmacopia so that their production and quality may be suitably standardized.
9. Use of oestrogens and similar drugs increasing the yield of milk of cows should be banned for reasons of health of cows.
10. Utilization of cattle and cattle products (dung cake and biogas) as source of thermal, mechanical and electrical energy should be encouraged and subsidized.

### **III. ECONOMIC CONTRIBUTION OF CATTLE PRODUCTS AND BI-PRODUCTS**

## **SUMMARY OF SUGGESTIONS / RECOMMENDATIONS – Chapter V (Part II)**

### **Data and Research**

- 1) A sound data-base or data-collection system be developed, which would throw up data regarding cattle numbers, numbers of work animals, energy outputs, milk production, dung and urine utilisation, number of bio-gas plants, etc.
- 2) An inventory should be drawn up of all research that has been conducted, be it on organic farming and composting, cow urine therapy etc.
- 3) A programme for conduct of scientific research into several aspects of the issue should be drawn up, with special focus on the subjects given in detail in the Recommendations.

### **Organic manure & Composting techniques**

- 4) Improved methods of composting should be popularised amongst farmers by large-scale training programmes and demonstration through the extension networks. NGOs like Goshalas should be involved in this activity.
- 5) Awareness about the efficacy and utility of dung-based manure and compost should be spread far and wide, through the use of the various forms of media, including audio-visual, print and through Krishi Vigyan Kendras and information kiosks at the village level.

- 6) Facilities for certification of organically produced vegetables, grains and other crops should be made available to the farmers, who can obtain a better remuneration for their organically-produced products.
- 7) Marketing and transport of these labelled products should be facilitated.
- 8) If possible, in the initial period at least, subsidies should be given for production of organic produce, rather than subsidising the use of chemical fertilisers and pesticides.

#### Milk and Milk Products

- 9) Cow's milk should be separately labelled and marketed on a large scale, for which labelling should be made mandatory.
- 10) The pricing policy based on fat content of milk, (which favours buffalo milk, leading to an ever-widening preference of the farmer to keep milch buffaloes rather than cows) needs a serious re-look to correct the tilt in favour of the buffalo.
- 11) The benefits of taking cow's milk should be propagated and awareness should be spread through an aggressive media campaign, holding of seminars etc.

#### Utilisation of cattle urine

- 12) For collection of urine, proper sheds with appropriate channels in the floor need to be set up, for which advice may be given to the farmers.
- 13) Subsidies could be given for construction of special sheds.
- 14) Subsidies could also be given for collection and transportation of the products to the manure or medicine-producing facilities, if they are at a distance from the source.
- 15) Special efforts may be made to popularise the use of Panchagavya treatment, by spreading awareness about its efficacy in curing various diseases.
- 16) Similarly, the efficacy of cow urine therapy, based on properly documented trials and research studies, may be made known to the general public.
- 17) However, while procedures for grant of licences for production of these medicines may be simplified, care needs to be taken to ensure that quacks are not able to take advantage of the simplified procedures, as this would be to the detriment of the patients seeking relief, as has happened in some stray cases.

#### Carcass utilisation after natural death of cattle

- 18) In the matter of carcass utilisation, the collection of horns and other products like hides and skins from dead cattle should be organised properly.

- 19) New technologies should be used for carcass utilisation, so that the economy can gain from the benefits, bestowed by the benevolent cow, which even gives to mankind after her death. The employment of the rural population engaged in this trade will not be disturbed if this is done.

#### **Draught Animal Power**

- 20) Tractorisation needs to be curbed and the use of draught cattle for agricultural purposes as well as for transport needs to be restored, by developing improved ploughing implements and harnesses.
- 21) Special draught breeds of cattle should be developed and improved genetically, so that this valuable source of energy remains available to the farmer, especially the small and marginal farmers.

#### **Coordination amongst agencies**

- 22) There should be a nodal body for coordinating with the different Government Departments and other agencies in the matter of organic farming and the utilisation of cattle dung and urine for composting.
- 23) Similarly, there should be a coordinating body for use of draught animal power, which is presently with the Department of Non-conventional Energy Sources, whereas, tractorisation and mechanisation are with the Department of Agriculture and Cooperation and breeding and bullock production are with the Department of Animal Husbandry and Dairying.

#### **Role of Goshalas, Gosadans etc.**

- 24) The roles of Goshalas, Gosadans and Panjarapoles should be enhanced for evolution of better manures, pesticides and medicines.
- 25) These organisations should be encouraged to become self-sustaining by selling or properly utilising the dung and urine from even dry cattle.
- 26) They should be given grants in the initial stages to develop self-sufficiency by adopting modern methods of collection and usage of these products.
- 27) They should lay down time-bound programmes with firm plans of action to achieve self-sufficiency and these programmes should be closely monitored and subsequent grants withheld if the targets are not achieved. On the other hand, if the targets are achieved within the scheduled times, additional incentives and awards should be given.

#### **Bio-gas**

- 28) Bio-gas generation should be given impetus in a big way.
- 29) Research for production of new and improved cost-effective plants should be encouraged.

- 30) The benefits of using such plants should be explained to farmers with regard to how they can meet their energy needs, at the same time, producing valuable manure in the form of the residual slurry.
- 31) The ecological and environmental aspects of bio-gas generation needs to be studied and quantified. The results of such studies, in terms of the saving of forests, reduction in pollution caused by burning of diesel and other fuels need to be analysed and conveyed to the general populace, especially in the rural areas, to bring home to them the real benefits of saving the cow and its progeny.

#### IV. COMMITTEE ON GAUSHALAS etc. and FODDER

#### SUMMARY OF SUGGESTIONS / RECOMMENDATIONS – Chapter VI

##### Strengthening of Gaushalas (Paragraph 28)

- 1) Gaushalas should be motivated to make the best use of their so-far under-utilized resources, viz cow dung and cow urine.
- 2) At least one Gaushala in each District should be got developed into a '**Krishi-Govigyan Anusandhan Kendra**' with units to demonstrate the processes and methods for making Nadep Compost, Vermi-compost, bio-pesticides and for generating bio-energy.
- 3) A Laboratory and Documentation Centre may be set up at each Division Headquarters or for a cluster of Districts for testing the bio-fertilizers and bio-pesticides prepared at '**Krishi Go-Vigyan Anusandhan Kendras**'.
- 4) A suitable fraction of the Krishi Mandi Tax may be used for maintaining the Kendras and Laboratories proposed to be established, as has been done in U.P.
- 5) The Gaushalas may get their workers trained at the '**Krishi Go-vigyan Anusandhan Kendras**'
- 6) The State Government concerned should provide water and electricity to Gaushalas and Pinjarapoles at concessional rates.
- 7) The Animal Husbandry Department of the State should ensure that complete veterinary cover is provided to Gaushalas and Pinjarapoles.
- 8) A well-equipped and far-reaching extension service should be organised by the Animal Husbandry Department, independent of the Agriculture Extension Service, which mainly concentrates only on crop extension work.
- 9) Arrangements should be made for providing adequate financial assistance to Gaushalas and Pinjarapoles for building up their infrastructure. Funds could be raised by levying a cess on export of leather and leather goods.

- 10) Scheme of working capital loan may be introduced for Gaushalas, Gausadans and Pinjarapoles. The State Governments can create venture capital funds for this purpose in collaboration with NABARD.
- 11) Gaushala Credit Cards, on the lines of the Kisan Credit Card, should be given to Gaushalas, in which credit is given against future production of milk, bio-fertilisers, bio-pesticides, panchagavaya medicines etc. may also help solve the problem of working capital. Under this scheme, Gaushalas will get credit against their future production of milk, bio-fertilizer, bio-pesticide and panchgavya medicine etc.
- 12) The State Government should evolve a margin money scheme for Gaushalas, on the lines of KVIC's Margin Money Scheme. Alternatively, a soft loan scheme can be introduced.
- 13) Contributions for running of Gaushalas such as Lag, Biti, Katauti and Dharmada etc. should be legalised and their collection be regulated for utilisation in the improvement of Gaushalas and Pinjarapoles.
- 14) Donations made to the registered Krishi Govigyan Anusandhan Kendras be made completely Tax free under section 35 AC of Income Tax.
- 15) For good working arrangements between Gaushalas-Pinjarapoles and the State Governments, a cell should be created in the Department of Animal Husbandry under a competent authority.
- 16) State Governments should organise annual meetings at State-level between managers of Gaushalas-Pinjarapoles in the State and concerned State Government functionaries dealing with RD, AH and other Departments.
- 17) An intensive training programme should be undertaken so that they can understand the economic prospects of their own resources in the form of cow dung and cow urine.

#### Feed and Fodder Development – Paragraph 41

- 18) Efforts should be made to change the mindset of agriculture scientists from crop culture to sustainable animal culture in rain-fed areas of the country, where livestock contribution to the family income can be more than 70%.
- 19) The State Governments should have time-bound drives to evacuate Charagah lands and also have 'on-the-spot fast-track courts' to deal with cases of unauthorised occupation of these lands.
- 20) While allotting 'sivay chak' (govt. land), it should be ensured that priority is given to the Gaushalas. In command areas, some patches should be kept reserved for Gosadans and Gaushalas.

- 21) The concerned Gram Panchayats should be involved in the allotment process of grazing 'Beeds' in forest areas. Also, the charges should be just nominal.
- 22) The forest authorities should develop these 'beeds' into first-rate grazing grounds, with the addition of fodder grasses and fodder trees such as 'khejri', 'Ber', 'Aru' etc.
- 23) 'Charagah Conservation Committees' should be set up to create awareness amongst the villagers, about the importance of conserving these lands. Representatives from forest, revenue, agriculture and Panchayati Raj institutions should also be involved.
- 24) Wastelands should be converted into grazing lands by planting grasses and fodder trees. This should be the responsibility of Gram Panchayats. The State Governments should give rewards to such village Panchayats.
- 25) The vast areas of non-forest forests, should be utilised for developing good grazing lands, for which time-bound projects should be taken up by the State Forest Departments.
- 26) Gaushalas should be exempted from the provisions of the Land Ceiling Acts in the States.
- 27) A scheme for production of fodder seeds of high quality should be developed and these should be made available at reasonable prices to the farmers. High-yielding, drought-resistant varieties should be developed and propagated for use in areas of scanty rainfall.
- 28) Forest and other grasses should be harvested during the monsoon season and converted into hay and then packaged, compressed and transported to user destinations, for use in seasons where there is fodder scarcity. Problem soils and wastelands should be developed into fodder resource banks.
- 29) Crop residues should be converted into energetic feed and oil-meals into proteins. The Department of Animal Husbandry and Dairying should have a special R&D fund to encourage institutions (both in public and private sector) to undertake result-oriented and time-bound projects in these areas.
- 30) A Central Sector Scheme for establishing a database on various feed and fodder resources, feeding practices and consumption patterns in various agro-climatic zones should be evolved and implemented. The data base should be updated every two years.
- 31) A separate Feed and Fodder Development Authority should be established, within the Department of Animal Husbandry, with necessary technical manpower to undertake inter-agency coordination in fodder production, fodder seed production, conservation and transport.
- 32) Fodder Production and Demonstration Stations should be established at Divisional Headquarters in all the States, on the lines of the Regional Stations set up by the Central Government at seven places.

- 33) Budgetary provision under the Scheme 'Assistance to States for Feed and Fodder Development should be enhanced. The States be asked to prepare realistic and result oriented projects for fodder development. The Department of Animal Husbandry & Dairying should ensure that all the funds that are allocated is fully utilised at the end of each Annual Plan.
- 34) The State Governments, particularly those where cattle population is large, should develop a system of having fodder reserves, just on the pattern of food grain reserves of Food Corporation of India.
- 35) It should be made mandatory for Gaushalas, having land, to grow fodder crops, fodder trees and grasses.
- 36) The States should develop and maintain pasture and fodder patches along water reservoirs, canals and rivers.
- 37) Panchayat Raj Institutions, such as Gram Panchayats and Panchayat Samitis, should be encouraged to prepare proposals for developing pasture-lands. The district planning committees should take up these proposals on priority basis using united funds.
- 38) It is desirable to put a ban on the use of combine harvesting machines in their present form, as the wheat straw is completely crushed in this mechanised process. Burning of standing crop residues should be prohibited.
- 39) The development of fodder plants through the adoption of Tissue Culture techniques, should be encouraged.
- 40) Fragmentary holdings should be consolidated as early as possible either by persuasion or legislation. Use of Khurpas should be banned, since this implement erases the grass by the root.

नमो भगवते वासुदेवाय

#### **Strategies for dealing with stray and 'so-called' useless or dry cattle**

- 1) Establishment of Village Gosadans in each village – Details in Paragraph 48
- 2) Establishment of Cow Sanctuaries in each State – details in Paragraph 50.
- 3) Establishment of Cattle Colonies - Some of the Cow Sanctuaries should be selected for developing as Cattle Colonies as per details in Paragraph 51.
- 4) Establishment of a National Cattle Colony - The Central Govt. may consider to develop a 'National Cattle Colony' in the Sevan grass area of Jaisalmer district. Good indigenous breeds of cattle like Tharparkar may be kept there. Details are given in Paragraph 52 of the Report of the Committee- Chapter VI.
- 5) A Scheme for Eco-Friendly Cow-based Village Development should be evolved, as per the blue-print given in paragraph 53 of the Chapter.

## **V. COMMITTEE ON BREED IMPROVEMENT AND PRESERVATION**

### **SUMMARY OF SUGGESTIONS / RECOMMENDATIONS – Chapter VII**

#### **Breeding Policy**

1. The Government should review its breeding policy and provide more emphasis to conservation of indigenous breeds. If required, a separate policy for conservation of indigenous cattle breeds and their germplasm should be drawn up and translated into an implementable programme.
2. Cross-breeding with exotic strains should be totally banned in the home tracts of the important cattle breeds and the ban should be strictly got implemented by the State Governments.
3. A judicious mix of cross-breeding with exotic strains and preservation of indigenous germplasm should be maintained, while formulating the policy. Import of germplasm should be allowed only in very specific cases and after taking all the precautions to prevent the ingress of diseases into the country.

#### **Implementation of the Breeding Programmes**

4. A proper institutionalised monitoring mechanism be established from the Centre downwards, so that the implementation of the Breeding Policy directives is monitored closely.
5. Directions should be given to the State Governments to draw up region-specific and breed-specific breeding strategies, programmes and plans to implement the conservation programme.
6. Targets should be allocated to the concerned State Governments, in terms of actual numbers of cattleheads of the particular breed, infrastructure facilities such as sperm stations, bull farms etc.
7. Regular review meetings should be held to consider the results achieved in terms of the physical and financial targets achieved, and corrective action taken wherever the targets are not met.
8. The Centre in turn should provide adequate funding to the State Governments to implement the programmes and annual plans. Other sources of funding should also be tapped. (For example, the Haryana Government is reportedly collecting Rs.0.10 per litre of milk from Gopalaks / milk producers and the money goes into a fund, which is used to supplement the efforts for breed improvement. The Government expects to collect Rs.14 crore through this method).



#### Creation of scope for larger use of indigenous cattle breeds

9. The States should be directed to specifically delineate and identify, in their respective breeding policies, the geographical boundaries of the areas where non-descript cattle should be upgraded by crossing with bulls of indigenous breeds.
10. Once such areas are earmarked, no cross-breeding of non-descript cattle, other than with bulls of indigenous breeds, should be permitted. This measure will provide an incentive to the farmers in the breeding tracts to rear male stock of indigenous breeds up to the breeding age, as the demand will create a market for the bull semen or natural service. Consequently, the practice of disposing off the male calves for slaughter will be curbed to a large extent.

#### Supply of good quality breeding material in the breeding tracts

11. The status of the indigenous breeds needs to be evaluated afresh. This is not only because the composition of cattle in the breeding tract has changed, even the specimens and genetic make-up of the breeds have undergone changes over the past few decades.
12. Breeds, which no longer find favour with the farmers, whatever the reason may be, should be identified and these breeds should be preserved only in the institutional farms, with improved conservation technologies.
13. Breeds, which are accepted by the common farmer, should be developed through region-specific and breed-specific programmes, aimed at selection in the breeding tracts and supply of improved quality of germplasm for breeding of cattle for supply to farmers on demand.
14. The progress of such programmes should be monitored through the institutional mechanism, recommended above to be set up.
15. For sourcing cross-bred bulls, the Military dairy farms should be used as a major source of contribution to the Bull production programme.

#### Promotion of Breeders' Organisations

16. Government should encourage and promote the organisation and establishment of breed-specific associations to represent the requirements for development of particular indigenous breeds.
17. Such Associations can then form a Federation at the apex level to take up issues with the Government either at the State or Central level.
18. Government should accept the private sector players as partners in the efforts towards conservation of Indian breeds of cattle and achieve better results by involving them in a participatory manner.

### Enhancing the role of voluntary organisations - NGOs

19. An inventory of Goshalas / Gosadans / Pinjrapoles having good specimens of indigenous breeds of cattle should be drawn up, alongwith the details and numbers of cattle-heads.
20. Such organisations should be designated with some appellation, which would distinguish them from other organisations maintaining other non-descript, aged or infirm cattle. For want of a better name, maybe the term 'Goshala' could be used, with other organisations, not having the indigenous specimens, being termed as Gosadans or Pinjrapoles only.
21. Each such designated organisation should adopt only one or two breeds, depending on the strength and composition of their herds, and segregate them from the other cattle, which they may like to continue to maintain as part of their animal welfare role. A specific breed-improvement/conservation programme should be drawn up for each designated organisation in consultation and collaboration with Government agencies.
22. Such organisations can also participate in the Government-sponsored programmes for rearing of male calves from weaning to maturity, for breeding purposes. The male calves on becoming bulls can then be supplied to farmers and other clients in the breeding tracts for mating with breedable females and for upgrading non-descript breeds in other areas.
23. The designated organisations should also be provided with scientific and technical inputs and training for genetic evaluation and selection of germplasm for breed improvement and upgradation programmes.

### Use of Science and Technology

24. Scientific and technological intervention in breeding programmes should be urgently taken up as a priority by the concerned Governmental agencies.
25. Technologies such as artificial insemination, frozen semen production, progeny-testing, embryo transfer technology (ETT) should be used, after proper evaluation, wherever required, so that modern up-dated scientific methods can be used to give a fillip to the programme for conservation, preservation and upgradation of breeds.
26. The comparative advantages of Artificial Insemination and Natural Service, should be studied and the appropriate method should be adopted according to the specific needs, requirements and location of different areas.
27. Monitoring cells for certification of sperm stations and bulls for frozen semen, should be established at the State levels and only certified semen should be used for AI, as suggested by the Working Group on Animal Husbandry set up for the Tenth Plan proposals.

### Statistical Data Base

28. A reliable data base should be developed with regard to all the details of indigenous breeds, including their breeding tracts, numbers, characteristics, genetic make-up, germplasm, the institutional farms where they are being preserved and / or conserved and so on.
29. Data bases should also be developed with regard to non-descript , as well as cross-bred cattle.
30. A proper distinction should be made in nomenclature and classification of indigenous breeds, especially the recognised breeds, separating them from non-descript varieties. This classification should be communicated to the data collectors at the field level so that estimates of milk yield and other production data can be correctly collected.
31. The Livestock Census must be conducted in a timely manner and, more importantly, the results compiled quickly.
32. While taking the Cattle census, the data-collecting agency should also gather details about the indigenous breeds, such as the name of the breed to which the specimen belongs, age, productivity etc.
33. If it is not feasible to collect the detailed data through the Livestock Census, which is conducted by laymen, as is the population census, a special Cattle Census should be got conducted in all the States, especially in the major cattle populated areas and breeding tracts to collect all the details.
34. The data of the Cattle Census should be fed into the data-base and then up-dated from time to time through surveys and other statistical methods for data collection.
35. A breeding network should be set up by computerising and net-working all AI outlets, sperm stations, breeding farms and Goshalas and other agencies involved in the production of breeding material and implementation of breeding programmes.
36. Monitoring of all aspects and facets of the breeding activities should also be done through use of the computerised mechanisms and networks.

## EPILOGUE

### Note of Justice Guman Mal Lodha, Acting Chairman

I have discussed the report with Shri Dharampal Ji at Sevagram, as his resignation, which was pending for more than three months, has not been accepted and he is required to continue. Shri Dharampal has, while expressing gratefulness to the Acting Chairman for shouldering the responsibility of the Chairman of the Commission for almost the whole year, has also, by and large, approved the report. He has however, desired that a supplementary note from him may even now be appended at the end of the Report of the Commission, even after the last word. He has also desired that, in his absence, the Acting Chairman should present the Report of the Commission to the Hon'ble Prime Minister and all concerned.

2. With the broad approval of the report by Shri Dharampal and similarly by the Hon'ble Justice R. N. Misra, M.P., both of whom have given supporting notes, which have been included in the report now, the Commission's report in the final shape is with broad approval of these two high dignitaries and blessings cum broad approval of H.H. Jagadguru Sri Sri Balagangadharanatha Mahaswamiji of Bangalore. It has been signed and wholly and totally approved by the following Members of the Commission.

1. Justice Guman Mal Lodha, Acting Chairman
2. Master Munshi Singh
3. Shri Manchana Gunde Rao
4. Shri Hukum Chand Sawla
5. Shri C. Udayabhaskar Nair
6. Shri Kesri Chand Mehta
7. Shri Sunil B. Mansinghka
8. Shri Bhawarlal Kothari
9. Shri K.L. Godha
10. Shri P. Haridas
11. Smt. Gohar Aziz

3. Thus the Commission's Report is unanimous so far as the recommendations and broad views of it are concerned but with consensus, that is 11 out of 15 Members, with no note of dissent of any Member. I am, therefore, extremely grateful to all the Members of Commission and to the Chairman, Shri Dharampal, who has repeatedly stated in letters to H.H. Shankaracharyaji and to me, that this is, in fact, Acting Chairman Justice Guman Mal Lodha's report and it should be treated as such, the Report having been prepared with the help and assistance and inputs of the other Members, including the Convenors and Consultants. I feel greatly honoured on being conferred with the privilege of being author-cum-editor of this voluminous report of

1500 pages in 4 volumes, starting from the nomadic age when cow and cattle were accepted in the world and so far as our own country "**Bharat Mata**" is concerned from the epic of "**Samundra Manthan**" in which **Kamdhenu** came out as 13<sup>th</sup> Jewel (Ratan). From that age till today, 21<sup>st</sup> century, they are witnessing height of materialism and impact of western philosophy culture and living in our country of Vedic rich culture saints and sages.

4. I am making this presentation with some trump cards in our armory, the greatest being Lok Nayak Jayaprakash Narayan's clarion call for the cow slaughter prohibition embodied in the last cover page. The Hon'ble Prime Minister is also a cow-worshipper, and had done Go-Puja at Lucknow before filing his nomination, after which he received the support of the greatest and largest democracy of the world of 1000 crore people. This fact assures the country that the report would be a mile-stone in the fulfillment of the age-old, peoples' demand, echoed by the Hon'ble Prime Minister himself, when he first took the oath in 1996. While giving the agenda of his Government, he proclaimed the following pledge through Shri Shankar Dayal Sharma, the then President of India on 24.5.1996.

"In order to ensure COW PROTECTION, and to impose a total BAN on the SLAUGHTER OF COWS and COW PROGENY, Government will take suitable measures."

5. We, all Members of the Commission, express our gratefulness to the people of India, who participated in public hearings throughout the country, including the Government officers, who have inspired us to successfully discharge this onerous function of producing a voluminous report, may be one of the biggest in the history of reports on speechless, deaf and dumb cattle, worshiped as **Kamdhenu** and called as **Gomata**, named as such after the birth-giving **Mata** and **Bharat Mata**.

6. With the above, I have the honour of submitting and presenting this report to all concerned, the Hon'ble Prime Minister, concerned Ministers and also the important heads of the organisations and Saints, who are cattle lovers, may be as users or as worshippers.

(Justice Guman Mal Lodha)  
Acting Chairman

Place : New Delhi  
Date : 29.07.2002

# NOTE OF SHRI DHARAMPAL, CHAIRMAN

(Introductory Note by Acting Chairman, Justice Guman Mal Lodha)

I have received on 24.7.2002 – last, but not of least importance – a Note from Chairman's DESK at Sevagram. Though many ideas and points are covered more than once earlier, yet coming from Chairman's Desk, they deserve much more respect and importance. Hence, I am appending them, as such, without editing. This is so, because I believe **"No one can be more pious than the Pope himself"**. Shri Dharampal is N.C.C.'s **"POPE"** and his last word would never go in vain, as the famous saying is that **"He laughs best –who laughs last"**.

2. With the above, I also express my gratefulness to him for approving the report prepared by me, by and large, without getting opportunity to fully read the 1100 pages in four volumes. I take this opportunity to apologise for many unpleasant frank expressions of Commission's Members, which are critical. While doing so, I have expressed the **"Consensus"** feelings of about 12 active Members, who have worked with me day and night and shouldered the high responsibility of having public hearings throughout India and analyzing the questionnaires and providing me inputs. The Member Secretary also prepared two Chapters, on inputs of the Sub Committees. But for the active cooperation of all, I could not have succeeded in completing this onerous task in record time of less than one year, even with handicap of not having regular office and infrastructure, with Chairman's illness keeping him away and under resignation for major part of the year. Even then, **"all is well that ends well"** and I believe in the saying **'Better late than never'**. Therefore, the Chairman has now, during printing process of the report joined by sending his note as "last word". Thanks to him and all.

3. I have already expressed my gratefulness to all Conveners, Members (including Member Secretary) and Consultants, for helping me in preparing almost 1100 to 1200 pages Report. May I hope that Chairman's views would be respected by all and acted upon.

sd/-

(Justice Guman Mal Lodha)  
Acting Chairman

E-mail from Shri Dharampal

Subject: A supplementary note

Date: Fri, 19 Jul 2002 06:41:05 +0500

From: dot [dixitp@nagpur.dot.net.in](mailto:dixitp@nagpur.dot.net.in)

To: [awbi@del3.vsnl.net.in](mailto:awbi@del3.vsnl.net.in)

Dear Shri Lodhaji,

Though I have not yet seen the report of the Commission, I think I should say something about how I have perceived the place of the cow in India, and how in my view we could effectively stop all cow slaughter within some 10-20 years. I have therefore written the enclosed supplementary note and would much like to have your views on it, when you come to Sevagram on July 26<sup>th</sup>. The note is just a draft at present.

With kindest regards,

Yours sincerely,

Dharampal

Justice Sri Guman Mal Lodha

Acting Chairman, NCC



## A SUPPLEMENTARY NOTE BY SHRI DHARAMPAL

(Appended to the Report of the National Commission on Cattle)

The molestation, ill treatment and ultimately slaughter of the cow has been a matter of great distress and sorrow to most Indians for the past two centuries, and more. The occasional killing of the cow was now and then done by Islamic invaders, who began to come to India from about 10-11<sup>th</sup> century AD. By AD 1200, several groups of them plundered and conquered various territories, especially in Northern and Western India, and established Islamic states in which, to begin with, the state encouraged cow slaughter on Islamic feasts and other days of Islamic celebration. Such Islamic domination, with its own rise and decline continued in many regions of India till about AD 1700. But even during these 500 years of the Islamic intrusion many of the Muslim rulers did not encourage cow slaughter in fact several of them prohibited it altogether for short or fairly long periods. A mid 20<sup>th</sup> century major advocate of the banning of cow slaughter, Lala Hardev Sahai of Haryana has estimated, in his biography, that the largest number of cows killed in any one year of Islamic rule in India would not have numbered more than 20,000 cows. Sri Prabhu Datt Brahmachari around the same time thought similarly. More work needs to be done on such estimates. It seems that the far larger killing of cows on their own festivals by many followers of Islam during the 19<sup>th</sup> and early 20<sup>th</sup> century originated through imitation of the British to exercise their right of slaughter especially after 1893. A growing number of the Muslims had also begun to be professional killers of the cow under British patronage, with the building of more and more slaughter houses by the British and managed by the commissariat wings of the three British armies from around 1800 AD.

The incessant daily killing of the cow, from about 1760 onwards, when the British were expanding their control both in the Bengal region and in the larger region around Madras had however been carried on by the British on instructions from the highest level. After over a 100 years of this beginning, Queen Victoria stated to her Viceroy Lansdowne, on 8<sup>th</sup> December, 1893, "though the Muhammadans cow killing is made the pretext for the agitation, it is, in fact, directed against us, who kill far more cows for our army & c, than the Muhammadans." The Queen was writing in the context of the Indian anti-kine-killing agitation, then going on in large parts of India for the previous 13-14 years.

Some 24 years later in 1917 Mahatma Gandhi speaking on the cow in Bihar, stated that around 30,000 cows were being slaughtered by the British every day. Gandhiji, perhaps, had obtained this number from the British slaughter authorities.

The primary question, however, is why do Indians consider that the cow must not be killed at all. A variety of answers are given to this question. Firstly, many refer to the ancient texts of India and illustrate the veneration for the cow since those times. Secondly, in recent times emphasis is laid on the great contribution which the cow, and her sons, the bullocks, make to the Indian economy. The bullocks maintain, or rather used to wholly maintain till recently, Indian agriculture by ploughing the land and performing other agricultural



operations. Further, they were the major transporters of persons and goods from place to place. The cow provided Indians with milk, calves and, far more importantly, bulls. All of them gave cow-dung and cow-urine, both of which have immense value as manure as well as medicine. The dung is also used as constituent of mud plaster in house building, and in plastering walls, floors, sacred places, etc. It is claimed these days that much more can be obtained from cow-dung and urine with the aid of modern science. There are also claims that the bullocks can be made to run faster and even plough, one hopes without injuring themselves, with specially made tractors.

For about two centuries, one of the products of the cow after it has been slaughtered, and cut into pieces of flesh etc, has been the cow's hide, which is converted into leather. Curiously for certain Indian writers of the 1940s, the British mainly slaughtered the cow for its hide and not for its flesh to feed themselves. Gandhiji however did not subscribe to this view and knew that the slaughtering by the British from the beginning was for cow flesh.

Instead of there being improvement in the well-being of the cow and reduction in the cow's slaughter, as was expected after the departure of the British from India in 1947, the suffering, decline and ill-treatment of the cow are on the increase. A large responsibility for this increase falls on the Animal Husbandry authorities of India and on the post-1950 policies of the Government of India.

Till recently, I had not paid much attention to the objectives and functions of the Animal Husbandry Department under whose auspices this Commission has been set up. I had just assumed that the Animal Husbandry Department must largely be for the welfare and well-being of Indian cattle, buffaloes, and other Indian domestic animals.

It was only some months after joining the National Commission on Cattle that I began to realize that I had been wrong in the above assumption. The idea of Animal Husbandry must have been developed in Britain and the West for increasing the number of domestic animals, for keeping them well and flourishing, and finally in arranging for their slaughter to be consumed as animal food by human beings. That some animals, during certain durations, also provided milk etc, for human consumption, or draught power (as by horses, camels, bullocks, etc. for agriculture or transport, was useful), was not the main function of Western Animal Husbandry. The Animal Husbandry, which we have had for about a century, seems to be basically stamped with this Western view.

If I am right in the above view, then I assume that the care, the well-being, and banning the slaughter of the cow and its progeny are not the primary functions of the present Indian Animal Husbandry set up. If we wanted the Animal Husbandry set-up to fully support the above task, we had first to get its priorities changed from those of helping in the larger production of slaughtered meat and other animal products, to make it take steps to gradually reduce such meat production etc. and then as a first step to start with the care of the cow and its progeny and moving speedily towards a complete banning of cow slaughter. Considering the current role of the Animal Husbandry Department, it was an error on the part of the Government of India to constitute the National Commission on Cattle under the auspices of the Department of Animal Husbandry.

The independence of India, however, seems to have brought up a major propagation of meat eating, this time by committees and officers of the Indian State, and not, as in the 19<sup>th</sup> century, just by the Christian missionaries. Scores of committees, since around 1947, have worked on how to provide Indians a more animal-rich protein diet, how to modify the breed of cattle, especially of buffaloes, so that they not only give milk, but through sophisticated slaughtering devices also provide succulent animal flesh.\*

Our contributions as a relatively non-violent people has thus become, not only to make meat available to some more of our already well-fed middle classes - the administrators, the managerial classes, the defence services, the politicians and the rest, but to also export it to other lands. Rumours of course are in plenty. For instance, it is stated by some academics in Calcutta that some 22% of the Hindus there are thought to eat cow flesh, and that, in Kerala, this proportion may be somewhat higher. These, however, could be inflated rumours to discourage those who advocate the banning of cow slaughter.

Mentioning that you or your family could not even think of having any tiny bit of the flesh of the cow, even as medicine, is no longer taken as a serious statement. Such statements have now become quite out of place in the India we have made. Even the desire to really find the truth of the situation has become ever more meaningless. The credit for this transformation, or its being propagated through government blue books, can certainly be taken by the Indian State and those who have headed it for some 50 years, and lakhs and lakhs of others who have served the state in relevant professional capacities. These seem to include practically every Indian who appears to be keen on the westernization of Indian society and economy.



How did we actually arrive at the present state? One may take an early beginning in 1950. Here it may be stated that all the decisions of Government mentioned below need not be the result of some deliberate policy. These could have been random decisions which put together became a jumble and did far more harm to the people of India than any deliberate decisions would have done.

Soon after the adoption of the Indian Constitution, it was left to the 15 or so constituting states to enact their own laws on the welfare of the cow and its progeny and for the banning of their slaughter. Just when the states were in the process of taking decisions on the subject, the Government of India sent a letter dated 20<sup>th</sup> December 1950 to all state governments. The letter said –

"Hides from slaughtered cattle are much superior to hides from fallen cattle and fetch a higher price. In the absence of slaughter the best type of hide which fetches good price in the export market will no longer be available. A total ban on slaughter is thus detrimental to the export trade and work against the tanning industry in the country"

In 1954, the Government of India (Ministry of Food and Agriculture) appointed an "Expert Committee on the Prevention of Slaughter of Cattle in India", which gave its report

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\* In Europe, and later in the Americas, where most of the killing of the cow has been going on for some 2000 years the killing certainly always had been primarily for cow flesh. In those countries the very thought that the cows were slaughtered merely for their hides would be simply laughable.

in Jan 1955. In the very middle of the report the committee began to say that, as we do not have enough fodder, we can not maintain more than 40% of our cattle. According to it, 60% of the rest had to be culled from the Indian cattle stock whenever possible.

In the 1970s the Government of India appointed the National Commission on Agriculture. Some of its suggestions regarding buffaloes were:

"The buffalo should be developed not only for enhancement of milk production but also for making it a source of production of quality meat.

"A deliberate and energetic drive should be made to develop for export trade in buffalo meat.

"Modernization of slaughter houses should be undertaken immediately.

"Massive programmes for improving the reproductive and productive efficiency of cattle and buffaloes should be undertaken. Low producing stock should be progressively eliminated so that the limited feed and fodder resources are available for proper feeding of high producing animals."

This last passage very clearly advocates the breeding and culling of animals, including cattle, so as to produce more meat.

A last point, much nearer our time, in July 1995, may be noticed here. This was a statement made before the Supreme Court by the Government of India. The statement was:

***"It is obvious, that the Central Government as a whole is encouraging scientific and sustainable development of livestock resources and their efficient utilisation which inter-alia includes production of quality meat for export as well as for domestic market. This is being done with a view of increase in the national wealth as well as better return to the farmer."***

Thus our agriculture and cattle and animal rearing have been ruined during the past 50 years; in fact, the beginning of this ruin started around 1760 and spread to the whole of India during the 19<sup>th</sup> century. We, as a relatively non-violent people, recently seem strangely to have started taking pride that we now slaughter around 2.6 crores cattle and buffaloes annually. Of these the buffaloes may be around 40-45%. The number of animals whose flesh is exported through this vast dedicated state effort maybe around 30% of the whole. It is possible that most of this export is of buffalo meat.

This National Commission was constituted to bring about the well-being of the cow and of the cow's numerous breeds, to enable better use of the cow's productive capacities without making its life a drudgery and strain, and to bring about, within a reasonable period, the complete prohibition of the slaughter of the cow in India with the willing support of practically all of India's people. The recommendations of the Commission, when implemented, should be of value with regard to some of these objectives.

#### IV

However, the slaughter of cow has lasted so long and in such high proportion of our cattle wealth that the present report alone cannot have any great impact on the problem we face. The need is of a well thought out intensive effort, which may have to continue in certain regions of India for some 15-20 years before the occurrence of cow slaughter is completely ended.

The fact that the cow and its progeny also has economic utility for man does not, however, have to be proved. Every part of creation, including human beings, insects, animals, plants, rivers, mountains, all have economic utility. The special regard for the cow in India, she being considered auspicious and a symbol of sanctity are the characteristics, which make Indian desist from ill-treating the cow and being shocked if some one were to kill her. This feeling of auspiciousness and sanctity has prevailed in India from very ancient times and one may assume that the vast majority of the Indian people deep down still retain this feeling. Even when a cow, bull, bullock, etc, dies this auspiciousness and sanctity still apply to the dead body, as such attributes apply to the dead body of a man or woman. We may therefore, assume that before cow slaughter got started in India there was no skinning of the cow, bull, etc, and their dead bodies were invariably buried. Buying of bulls and cows is still the practice in many regions of India.

If India is serious about restoring honour and well-being to the cow and ending cow slaughter altogether, we should, decide to set up, after the present Commission's report is made, a long-term body, with adequate power, authority, and vision, of four to five persons, say for 5-10 years, who will have a thorough look into the question of how the cow became what it has become today and how she and her progeny can be restored back to her earlier well-being and honoured place in Indian society. This body should initiate various enquiries and studies and establish contact with the villages as well as the traditional cattle keepers in every region of India. It should also go in detail into the past background of how the cow has been treated, say from about AD 1200-1700 and then from AD 1750-1947, and go into the history of cow slaughter during these periods. It should also examine the relationship between cattle and agriculture and the ecological and environmental Indian background, which has been seriously endangered during the past 150-200 years. As it is perhaps now accepted by many, the largest daily continuous slaughter of the cow happened from the beginning of British rule in India till the British left, and then it was taken over under the patronage of the present Indian State. A similar, it not more pronounced, deterioration occurred in our soil, and agricultural practices during the same period.

Once we have looked at and thought about the multiple aspects concerning the present state of the cow, we may then know how to restore to the cow its place of regard and honour. When we start work seriously it may be quite possible that, say in about half of India, the well-being of the cow can be restored in about 5 years, and the slaughter, as well as the transportation of cattle to distant places can be stopped during the same time. Other regions may take longer. But it should not take more than 15 –20 years before the cow and its progeny can again begin to live without molestation and with honour and esteem all over India.

Till the necessary law or constitutional change is brought about to prohibit cow slaughter – as we proposed during 1948-49 at the time of the framing of the constitution – we need to take certain steps from now on to bring about some immediate relief and well-being to the cow. Some of these steps would be:

1. Once the major occurrences, which greatly harm the cow, is the transfer in large numbers of the cow and its progeny from one region to another distant region. The purpose is said to be the slaughter of the cow in the new place. Two of the areas in which such transfers take place on a vast scale are said to be i) Bihar to Bangladesh, and ii) Tamil Nadu to Kerala. There are scores of other such places and regions, especially around the huge newly set-up slaughter houses like those in Maharashtra and Andhra Pradesh, where such transfers and gathering of cattle from all around also take place for large-scale slaughter. Local people for years have tried to stop such movement but with small success. The need is for a body like the BSF or like a Provincial Armed Constabulary, of say some 10,000 persons, a part of which can be moved to wherever it is needed. New persons who are enrolled in such a body should also include such go-sevaks who have already performed such tasks over long periods. Initially, the body may be constituted for five years, and it should have good relations and support of the people of such areas where they are moved to for controlling such illicit traffic in cattle.
2. On the pretext of their being physically disabled, or they being no longer economically useful, a large number of cattle of various ages and conditions are driven to some of the major slaughter houses in various parts of India. This carting of cattle to such slaughter houses must be completely stopped.
3. The breeding of cattle, perhaps even of buffaloes, should be taken out of the hands of the Animal Husbandry institutions, or military farms, etc. Given the present emphasis on the primacy of meat production all these bodies can no longer be reasonably trusted with regard to their views on the kind of cows or bulls to be bred. The Agricultural Commission of the mid 1970s was quite clear that, "the buffalo should be developed not only for enhancement of milk production but also for making it a source of production of quality meat". If this was the Agricultural Commission's policy with regard to the breeding of buffaloes, the basic policy with regard to the development of the different breeds of the cow could not have been any different. The whole question of the development of the cow through artificial insemination, cross-breeding and through the various other methods which are more and more employed these days, must all be treated as suspect till every aspect of the breeding policy is explained in details to those who keep cows and look after them, and are asked to decide what to keep and what to reject. A competent expert body, at least half of whose members are actual peasants and herdsman, needs to look into the various aspects of the development and breeding of the cow today.

sd/-  
(Dharampal)

Sevagram, July 25, 2002



सत्यमेव जयते

# **ANNEXES**

## **CHAPTER I**

### **INTRODUCTION**

## LIST OF ANNEXES

### CHAPTER I - INTRODUCTION

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**Annex I (1)**

Paragraphs 30 & 40

**APPENDIX 9**

**NUMBER AND PERCENTAGE OF CATTLE SLAUGHTERED FOR MILITARY PURPOSES**

Year	Number slaughtered	Percentage
1940	47883	.023
1941	73542	.035
1942	222417	.107
1943	265396	.128
1944	183974	.088
1945 ( 9 months)	142110	.068 017

COPY OF LETTER No. F. 10-11/44-P, DATED THE 11<sup>TH</sup> JULY 1944, FROM B SAHAY, ESQUIRE, I.C.S., DEPUTY SECRETARY TO THE GOVT. OF INDIA, DEPARTMENT OF EDUCATION, HEALTH AND LANDS, NEW DELHI, TO ALL PROVINCIAL GOVERNMENTS AND MINOR ADMINISTRATIONS.

*Restriction on slaughter of cattle*

I am directed to say that the present cattle shortage has been causing considerable anxiety to the Government of India for some time past. This shortage is probably due to the increased demand for cattle for cultivation, transport, milk and meat. It is considered that one of the ways of dealing with the problem is to prevent as far as practicable the slaughter of useful cattle, particularly such animals as are used as or likely to be used as working cattle, and those which are suitable for bearing offspring.

2. It has accordingly been decided in respect of the slaughter of cattle by the army authorities that:
- (a) the slaughter or sale for slaughter of the following classes of cattle will be prohibited:
    - (i) cattle below 3 years of age,
    - (ii) male cattle between 3 and 10 years of age which are used or likely to be used as working cattle,

- (iii) all cows between 3 and 10 years of age which are capable of producing milk, other than cows which are unsuitable for bearing offspring and
- (iv) all cows which are pregnant or in milk
- (b) Any veterinary authority whether of a gazetted or non-gazetted rank, would be competent to object to the slaughter of a particular animal. For this purpose such an authority would have the right of access to the military butchery pens after intimation to the officer in charge of the butchery. An animal to which objection is taken by the veterinary authority will not be slaughtered, provided that in the case of the veterinary authority being a non-gazetted officer, the officer in charge of the butchery will have a right to make a reference to a local civil gazetted officer whose decision would be final.
- (c) The military authorities will fix maximum prices for all purchases after consultation with the local purchase committee on which both military and civil authorities are represented.

3. These measures, however, will not secure the preservation of useful cattle unless slaughter at civilian slaughterhouses is restricted along similar lines. It is of considerable importance in order to preserve the cattle wealth of the country, that restrictions should be imposed on slaughter for civilian consumption along the same lines as have now been accepted by the army authorities. The Government of India are aware that for provinces which have issued orders, viz., Madras, Bombay, U.P., C.P., Bihar and Assam restricting cattle slaughter have been issued in your provinces. I am to request that these orders may be reviewed and revised where necessary to bring them into line with the instructions now issued in respect of slaughter by the military authorities, so that the slaughter of useful cattle (and especially of dry cows suitable for bearing offsprings) may be prevented. For provinces which have not issued orders, viz., Sind, N.W.F.P., Punjab, Bengal and Orissa. I believe that no orders restricting cattle slaughter have yet been issued in your province. I am to request that suitable order, along the lines of the instructions issued in respect of slaughter by the military authorities may be issued at an early date so as to prevent the slaughter of useful cattle and particularly of young stock, bullocks used as or likely to be used as working animals and cows suitable for bearing offspring, in milk or pregnant.

4. With a view further to preserve the livestock wealth of the country. I am to commend for the consideration of the Provincial Government the advisability of prescribing some meatless days every week. This has already been done in Bengal and Assam.

5. It is important from the point of view of the country as a whole that early orders should be issued by the Provincial Government so as to bring the restrictions in respect of civil and military slaughter on a uniform basis. I am, therefore, to request that very early action may be taken in the matter and a copy of the orders issued communicated to the Government of India as soon as practicable.

*(Source: Extracts from the Datar Singh Committee Report; p.31-32)*

*Editorial Note 1: The figures of cattle slaughtered for military purposes are given in the table at the beginning of this Annex. The table overleaf reflects the number of oxen slaughtered all over the country, not only for military purposes.*

*Editorial Note 2: It will be seen that the data submitted by the speakers in the Constituent Assembly Debate in 1948, verbatim record of which is at ANNEX 1 (3), is somewhat at variance with the data given in the present tables. For example, Pandit Thakur Dass Bhargava says that in 1944, 60,91,828 oxen were slaughtered and in 1945, sixty five lacs were slaughtered. (Please see p.119 of this Report). On the other hand, according to the table overleaf, the figures of oxen slaughtered during 1944 and 1945 have been given as 27,91,828 and 31,67,496 respectively.*



**Table III**  
**Number of Oxen Slaughtered**

Province/year	1934-38	1939	1940	1941	1942	1943	1939-43	1944	1945
Sind	—	—	18081	23710	28763	17647	22050	26000	22000
Bombay	143722	161920	182567	206412	235152	224510	202122	167120	77863
Bihar	53228	68628	67173	67087	90530	76568	73997	48498	57838
Punjab	731895	711370	703160	704604	705043	708492	706335	768936	71381
Bengal	1830000	1830000	1830000	1830000	2013000	1371500	1774900	1249875	371950
Madras	36200	41400	42300	39440	41500	42300	41380	153500	407000
Assam	41585	45585	46595	46770	47400	48280	41006	42000	41000
C.P. & Berar	—	88094	93605	92448	958820	90767	92146	69846	74135
Ajmer - Merwara	7535	2702	1084	910	1116	1294	1420	1226	1244
Orissa	15991	29504	27571	27162	37999	17354	27918	12960	15751
Delhi	—	17135	16356	16181	14830	10947	15090	12088	18834
Coorg	—	Not Slaughtered		—	—	—	—	—	—
N.W.F.P.	160000	180000	185000	180000	150000	145000	165000	142000	100000
Baluchistan	—	—	14305	—	—	—	—	—	—
U.P.	370561	383883	354392	367910	334124	280946	344251	132030	150000
Total	—	3569221	3582548	3602588	3795322	3034605	3516806	2791828	3167496

† No previous figures available

**Table III (a)**  
**Number of Buffaloes Slaughtered**

Province	1934-35	1939	1940	1941	1942	1943	1939-43	1944	1945
Sind	—	—	1363	2385	2360	5787	2974	4000	6000
Bombay	41728	51310	56814	56704	81172	78394	64879	75420	54690
Bihar	12196	34760	18366	16717	25749	28893	24887	20978	23569
Punjab	109555	110965	111488	113044	114600	116156	113251	117712	118270
Bengal	53000	53000	53000	53000	58300	46650	52790	47500	54700
Madras	13100	15100	14900	15400	182000	25300	17780	138900	123000
Assam	246	251	375	275	275	265	288	310	340
C.P. & Berar	—	5637	6302	7939	10247	10732	8171	10384	8928
Ajmer-Merwara	17499	4140	1887	2940	2980	2740	2937	2593	2465
Orissa	27	25	100	117	120	212	115	170	60
Delhi	—	33178	38062	32534	38971	38369	36223	50931	52762
N.W.F.P.	100000	110000	112000	111000	90000	90000	102600	88400	80000
Baluchistan	—	—	452	—	—	—	—	—	—
U.P.	142640	175030	201723	263061	196320	171962	201619	160881	180000
Total	489659	593396	616832	675116	639294	615460	628524	727189	705784

(Source: Extracts from the Datar Singh Committee Report; p.70-71)

## Annexure I (2)

Paragraph 38

### PRECIS OF INDIAN NEWSPAPERS' COMMENTS - 1893

(IOL: L / P&J / 257/1894)

#### Appendix.

#### BENGAL.

#### The Bakar-id riots.

1. The *Sulabh Dainik* of the 11th July has the following:-

Revival of race-animosity is the cause of the serious disturbances that have taken place at Bareilly, Azamgarh, and other places in connection with cow-slaughter on the occasion of the *Baqr-id*. The violent and hot-headed Musalman first want only attempted to offer an insult to the Hindu religion, and the Hindus having opposed that attempt, disturbances arose. And the carelessness and indiscretion of the officials have intensified the evil.

But we ask the Musalman- "What good do you expect from such disputes? Both Hindus and Musalmans now live under the same sovereign. The fact that the sovereign is kind to you, Musalmans, should not lead you to expect that you will avoid punishment if you deserve it, and the fact that the sovereign does not like us Hindus will not justify the supposition that we shall be punished, though innocent. What good do you then hope to gain. O Musalmans, by making such disputes? What harm, too, can you hope to do to us Hindus by such disputes?"

"Do not your books of morality O Musalmans! praise the virtue of unity? Have you forgotten the excellency of that unity which once made you masters of the world? Have you never heard that great proverb of the English 'United we stand; divided we fall?' Has no historian related to you the evil consequences of the dissensions between the Patricians and the Plebeians of Rome? Why then do you now forget your invaluable motto, Unity, and thereby bring ruin upon yourselves? If the Hindu and the Musalman again heartily sympathise with each other, and have the English Government for their protector, there is no power on earth that they will need to fear. "And we must also tell you, O English Government! that if you adopt proper precautions in time, these evils cannot occur. But you are careless; you have much to gain in the shape of court-fees from such disputes. But to endanger the people in this way for the sake of money is to ill-discharge the duties of a Government. If the young Magistrate of Azamgarh had adopted proper precautions in time, the disturbances could not have taken place. But he was sleeping all the time, and the result was that dreadful disturbances broke out under his eyes."

2. The *Sulabh Dainik* of the 26th July has the following in the course of an article headed "Who is to blame?"

### Quarrels between Hindu and Musalmans.

On whom rests the blame of the late riots between the Hindus and Musulmans? So far as can be ascertained, the riots were everywhere brought about by the fault of the authorities, by the insolence, short-sightedness, and ignorance of the religion of the people on the part of the magistracy. Yet these very officers are considered the best criminal judges and the strongest supports of the Empire.

The Magistrates being, as a rule, Europeans are beef-eaters, and cannot therefore see any objection, to the slaughter of cows and beef-eating by the Muhammadans. A Magistrate is rather astonished that the Muhammadan should come to him for permission to slaughter cows. He grants the Muhammadan's prayer at once, and considers any objections made by the Hindus as arising from mere prejudice. He also at once binds down the Hindus to keep the peace, and encourages the Muhammadans by personally appearing at the place of the slaughter. The illiterate, hot-blooded Muhammadans naturally enough take this in the light of an encouragement given them by Her Majesty herself to slaughter cows. What wonder that they should fear nobody? This explains the origin of the quarrels, which ultimately lead to bloodshed. The blame rests therefore entirely on the shoulders of the Government's pet civilian magistracy, who have scarcely any experience of the manners and customs of the people. And yet the Secretary of State did not hesitate to declare the other day that the civilians rendered the greatest help in carrying on the administration of the country.

The authorities entertain the most inveterate ill-feeling towards the Hindus. There was great oppression of the Hindus under the reign of Aurungzebe. It was during that reign that the Muhammadans escaped scot-free after persecuting the Hindus. It was during that rule that the *Jizia* (poll-tax) was imposed, and the Hindu's cup of misery was full to overflowing. Is it not a sin even to think that Aurungzebe's time has come back to India even under the beneficent British Government? But the action of the authorities fully reminds one of the *Jizia* tax. Either with the object of maintaining the public peace during the *Muharram* festival or with the object of keeping the Hindus under check, a military police force has been stationed in Azamgarh at a cost of Rs. 30,000. The cost is to be borne entirely by the Hindus, the Muhammadans of the place not being called upon to contribute a cowrie towards it. What is this but the *Jizia* in another shape? What has more surprised the writer is that after the riots in Azamgarh. Only Hindus to the number of 400 were arrested, as if the Muhammadans had nothing to do with the riots. A military police has also been stationed at Bareilly, and there too the Hindus alone will have to bear the cost.

If more instances of the attitude of the authorities in these quarrels were wanted, the writer could point to the occurrence at Bazardiya near *Benares*, where the greatest violence has been done to the religious feelings of the Hindus by the Musalmans, and yet it is the Hindus who are being sent to jail by the authorities in batches. The writer is fully aware that the riots between the Hindus and the Musalmans in the North-Western Provinces are the fruit of the seeds of dissension sown among them by the Lieutenant-Governor, Sir Auckland Colvin. But will Sir Charles Crosthwaite quietly accept the results brought about by the folly of his predecessor? Or is His Honor determined not to say anything to what his civilian brothers may do? Under these circumstances, it is absolutely necessary that the Government of India should at once order an enquiry into the cause of the present quarrels between the Hindus and the Musalmans.

### The Officials in the cow killing cases.

#### 3. The *Sulabh Dainik* of 5th August has the following :-

We have already referred to the reign of anarchy in the North-Western Provinces, and that anarchy is gradually increasing instead of decreasing. When one considers the present condition of Balia and Azamgarh, one cannot believe that they form a part of British territory, for justice has vanished from these two districts; oppression has taken the place of justice; administration has made way for grinding oppression, and instead of peace there is great unrest and uneasiness; instead of impartiality there is partiality, and one finds there strange travesties of justice by civilian officers. The English law provides for the administration of justice without regard to caste, creed or colour, and for the punishment of those who wound the religious feeling of other people. But the very reverse of this is now found in Azamgarh, and we know not but greater evils may happen in future.

We shall inform our readers of the present condition of Balia and Azamgarh, and they will then see how justice is being administered there. The *Amrita Bazar Patrika* says that a body of Hindus in Balia were apprehended as rioters, although the complainants could not identify any among them as guilty of the offence. According to the criminal law, a man accused of any offence must be identified before he can be punished. Indeed, it would be extremely unjust to punish a man without proof of his guilt. But the reader will be extremely surprised to hear what has been done in Balia.

The judicial officer in the present instance was an Englishman, and not only that, but a civilian to boot. He not only found the accused guilty of having been members of an unlawful assembly, but also concluded that they had committed robbery. And the result of such a decision might very well be anticipated. It is a serious matter that a number of persons were convicted of rioting and robbery, although no one could identify them as guilty of those offences. If the number of such officers increases, and the authorities do not cure them of their haughtiness and partiality, the North-Western Provinces will soon become a vast cremation ground; Sir Charles Crosthwaite will rule over a realm inhabited by ghosts, and the judicial officer will have no other company than that of Carcass-eating jackals and vultures. Many of these so-called rioters were men of education, position and respectability, and these are the men who have been convicted of dacoity. Yes, how should a civilian display his glory if not in this way? Such, alas, are the fantastic freaks, which the civilians are playing in fallen India!

But the matter has not ended here. Warrants have been issued against the Hindu residents of 35 villages. The police is going to those villages at all hours of the day, and is apprehending the Hindu residents, plundering their property and working their ruin in a trice of time. We cannot easily bring ourselves to believe these reports, for the English law still prevails in India; the despotic system of Government is not yet established in this country, and the fear of Siberian exile, as in Russia, does not yet dominate men's minds here. But from what we hear we cannot but conclude that in the Indian Empire of the English an impartial administration of justice will soon disappear.

The mode of trial adopted in the present instance was also a novel one. Though no one could identify the accused persons as having committed the offences with which they were charged, they were considered deserving of punishment by the civilian officer. In his



opinion these men deserved to be punished, because they belonged to the villages in which the disturbances had taken place, and because the villagers could not identify the persons who had committed the disturbances, although, as a matter of fact, it was impossible for the residents to identify the persons who had committed disturbances in their villages and then vanished.

There is no knowing how many innocent persons are being punished in this way every day. And what is still more astonishing is that, while common persons are escaping in some cases, men of position and respectability are being in all cases punished with imprisonment or fine. The other day two respectable Rajputs of Balia were publicly whipped in court, and the sight of their indignity drew tears from all who saw it. Again, two boys having caught a Musalman woman in the act of polluting a Hindu temple by throwing beef into it, brought her before the Magistrate. The woman, however, denied her guilt, and was believed by the Magistrate. He therefore, sentenced the boys to three months imprisonment each for giving false information.

Again more than a hundred Hindus were hearing the *Bhagwatgita* read at a certain place. A Musalman policeman sent them up for trial on a charge of unlawful assembly. The Magistrate fined some Rs. 5 each, and sentenced the rest to imprisonment for three months each. The reader will be surprised to hear that one of the persons so punished with imprisonment is a blind man. Thirty-eight Hindu residents of Gopalnagar have also been sentenced to imprisonment for four months each, and one Bhagirath, a Hindu legal practitioner of Bareilly, has been sentenced to imprisonment for six months and a fine of Rs. 500. Two Bengali residents of Bareilly were also apprehended, but were fortunately let off. What should we call all this, if we must not call it anarchy?

These judicial officers are not only punishing the Hindus, but are also disregarding the instruction of their superior officers. The Magistrate of Azamgarh received written instructions from the Divisional Commissioner to see that Musalmans did not in any way provoke the Hindus by wounding their religious feelings. The instructions in question also stated that "any attempt to violate the agreement or to parade animals for slaughter will be severely punished." The Commissioner also directed the Magistrate to tell the Musalman leaders to sacrifice only goats and sheep in those quarters, which have both Hindu and Musalman residents. But the Magistrate paid no regard to these instructions, and has acted very haughtily. And yet the commissioner has not taken him to task. The civilian Magistrates are great pets of Government, and they can commit any wrong with impunity.

Some say that Sir Charles Crosthwaite is not aware of these things. But if this true, it is a grave reflection on him as a ruler, for a Governor who does not keep himself informed of all that goes on in his province is unfit to rule. We, for ourselves, consider Sir Charles crosthwaite completely guilty.

We again ask Lord Lansdowne to promptly provide a remedy for this evil. The Local Government is completely indifferent in the matter, and the Viceroy is now the only hope of the people. Can he know nothing of all this from the heights of Simla ?

### **The authorities in the riots.**

4. The *Sulabh Dainik* of the 7th September has the following:-

We have been so long pointing out that the Azamgarh riots were due to the fault of the officials. But Government seems to have paid little heed to us, for it has not yet ordered any enquiry into the conduct of the officials. The cry for an Opium Commission is rending the skies in England and India, but it is hardly considered worth Government's while to attend to a matter, which involves the question of internal dissensions, slaughter of the people by themselves, and the peace and tranquility in the country. Do the authorities really desire to see both the Hindus and the Musalmans weakened by mutual quarrels and hostilities?

### **Treatment of the Hindus in the North-Western Provinces.**

5. The *Sulabh Dainik* of the 12th September accounts as follows for the riots that are now frequently taking place in this country:-

There is no limit now to the oppression by Musalman police officers in the North-Western Provinces. The North-Western Provinces police have had Brahmananda Swami convicted on a false charge of having made a speech about cow-slaughter, which was calculated to lead to a breach of the peace, although there was nothing in his speech that could justly offend the Musalmans. And is this *administration*! Does it not much better deserve the name of *grinding oppression*? This is in fact nothing more or less than maladministration - maladministration whose immediate effect is discontent, and whose ultimate effect will be riot and disturbance.

This police oppression would not have been half so galling if people had been able to obtain redress on appeal to the authorities. But, as a matter of fact, no such redress can be hoped for by the great majority of people, for the lower Courts accept the statements of the police as gospel truths, and there are few who can go to the High Court or the Lieutenant-Governor or the Viceroy for redress. Ninety-five percent. of the oppressed persons have to bear this oppression in silence, albeit with hearts seething with discontent. The ringleaders of all the disturbances that are now taking place in the country are to be found among these oppressed people.

Even if the authorities ever show any inclination to remedy this state of things, certain mean-minded papers, whose sole occupation is to make truth appear as falsehood and falsehood as truth, present things in so distorted a shape as to completely mislead the authorities. The result of all this is that there is grinding oppression in the name of administration, and the indiscriminate punishment of the guilty and the innocent in the name of justice.

All that the Hindus say about these riots is rejected as false, while every word uttered by the Musalmans is accepted as gospel truth. A respectable Hindu of Balia has been sentenced to six months imprisonment on a charge of having intimidated an oilman not to sell oil to Musalmans, and on no other evidence than that of certain Musalman witnesses.

The Lieutenant-Governor of the North-Western Provinces having now declared the *Gorakshini Sabhas* to be the cause of the present disturbances, the police is now greatly harassing those Sabhas.

Azamgarh is not more than two hours journey from the residence of the Lieutenant Governor, and yet old men and boys, aye, even lame and blind persons, were sent to jail, on a charge of riot, so to speak, under his very eyes without one word of protest from him.

At Gorakhpur a Hindu had a platform on which the Musalmans used to rest their *tazias*. The Hindu having now demolished his platform, he has been sent up for trial on a charge of riot. This is the first time people hear that a man has not the right to deal with his own property as he likes.

Again, in certain districts of the North-Western Provinces, licenses for keeping arms have been withdrawn from the Hindus, the Mussalmans being permitted to use them freely. Do the officials then wish to see the disarmed Hindus perish like moths in the flame of Moslem arms? And is this, too, to be called justice and impartiality?

In conclusion, we request the Government to remove the present ill-feeling between the Hindus and Musalmans by treating both these people alike.

#### **Government and quarrels between Hindus and Muhammadans.**

6. The *Dainik-o-Samachar Chandrika* of the 17th August has the following :-

When the Education Commission recommended that more favour should be shown to the Muhammadans in the matter of education, the Hindu members of the Commission, as well as one of the English members, who was no other than the present Finance Minister, Sir David Barbour, objected to that recommendation.

We, too, for our part, have protested whenever an attempt has been made to favour the Muhammadans at the expense of the Hindus. For the last 22 years we have been protesting in the newspapers against this policy. By affording greater facilities to the Muhammadans in the matter of admission to the public service, Government has deviated from the path of sound policy and paved the way for future troubles.

After the Sepoy Mutiny, the Government changed its policy in many directions. Just and farsighted Viceroys like Lord Ripon have from time to time tried to steer the vessel of the state along the right course, but on the whole that vessel has been steered the wrong way. From the time of the Sepoy Mutiny it has appeared as if the Government has been of set purpose favouring the Muhammadans and thwarting the Hindus to some extent. But why say "as if?" In the opinion of many, this showing of favour to the Muhammadans is a fact and no imagination.

On the occasion of the Sepoy Mutiny the Hindus and Muhammadans rose in concert against the English Government. This union of the two races alarmed the Government, and after the danger was over, the Anglo-Indians adopted the policy of setting the two races against each other. And the officials have been since making every possible effort to prevent a hearty union of the two races.

Whenever there is a quarrel between the Hindus and Muhammadans, the officials seem to take the side of the latter. For a long time we have been warning the officials about the evil effect of this policy. But good advice is never liked till bitter experience shows its value.

Governors of the type of Sir Auckland Colvin have made bad worse. Before Sir Auckland, no Governor in any province of India acted as he acted. Many Governors had, indeed, displayed their partiality for the Muhammadans in reports and resolutions, but no one ever attempted, like Sir Auckland, to actually set the two races against each other.

The policy that Sir Auckland Colvin adopted in the North-Western Provinces has been more or less adopted in all the other Indian Provinces. Under Sir Charles Elliott that policy has been pursued in Bengal.

The officials have paved the way for troubles by their crooked policy. Differences between Hindus and Muhammadans in connection with cow-slaughter have always existed. And it is by following the path that leads to strict justice that the English Government has so long been able to maintain the peace. And it is since the officials have deviated from the path of strict justice that breaches of the peace have become frequent. The danger has, in fact, deepened since the day the Muhammadan has begun to feel, from the conduct of the Government, that he is in greater favour with it than the Hindu.

We have been warning the English Government from the very day it adopted the policy of setting the Hindus and Muhammadans against each other. It is not prudent to set two bulls fighting, for bulls in their fury attack even those that set them fighting.

Has not the present ill-feeling between the Hindus and Muhammadans proved a fruitful source of trouble to the English officials and the police? Have not there been riots at Rangoon as well as at Bombay? The Anglo-Indian Press says that, furious as they were, the Musalman rioters of Bombay attacked only two Europeans. But that Press should know that rioters will not certainly always show such consideration for Europeans. Furious mobs make no distinction of friend and foe.

Steps should now be taken to make all officers act according to the strictest principles of justice. The Muhammadans should not cover more than what is justly due to them, and should know that it is not difficult to comply with the injunctions of one's own religion without wounding the religious feeling of the followers of other religions.

#### **The authorities in the cow-slaughter quarrels.**

7. The *Dainik-o-Samachar Chandrika* of the 21st August says that in the cow-slaughter quarrels in Bareilly the authorities showed themselves biased in favour of the Muhammadans. And warrants have since been issued against two respectable Bengalis on the charge that they were the instigators of the quarrels, though the authorities themselves were the real instigators. The real facts at the bottom of the Azamgarh riots are being suppressed by the authorities, while they are laying the whole blame of these riots on the Hindus. It is said that warrants have been issued against the entire Hindu population of thirty-five villages. But the writer has heard from many people that the Azamgarh riots were due to the granting of licenses to Muhammadans for slaughtering cows in Mau and

the adjoining places, where cow-slaughter was not allowed since the time of Akbar. Did not the authorities act in a short-sighted manner in allowing cow-slaughter in places where it was prohibited even by a Muhammadan Emperor? And yet the authorities are pouring the vials of their wrath on the heads of the Hindus, and the Lieutenant-Governor of the North-Western Provinces is for making only the Hindus responsible for the riots.

#### **Sir Charles Crosthwaite in the cow-killing affair.**

8. The *Dainik-o-Samachar Chandrika* of the 22nd August has the following :-

Sir Charles Crosthwaite, the Lieutenant-Governor of the North-Western Provinces, is for suppressing the *Gorakshani Subhas* and, as for his subordinates, they resolved to suppress those *Subhas* even before he himself thought of doing so. Sir Charles thinks that these *Subhas* have been established with the sole object of exciting rebellion. Was it for this, then, that his subordinate officials encouraged the Musalmans to cow-slaughter, and bade them to oppose every effort of the Hindus to protect the cows? Was it for this, then, that the officials fomented ill-feeling between Hindus and Musalmans?

Did the officials, then, say to themselves: "The Hindus are combining and establishing *Gorakshani Subhas* on the pretence of protecting cows, but really with the object of producing rebellion. Let us then bring about a quarrel between the Hindus and Musalmans by inciting the latter to indiscriminate cow-slaughter. That will suppress the movement and prevent a rebellion?"

If the officials had really the impression in their minds that the Hindus intended to make a rebellion, then it is clear that they deliberately incited the Musalmans to cow-slaughter and opposed the efforts of the Hindus to protect cows. Whoever talks of rebellion in this connection must be set down as an opposer of the efforts of the Hindus to protect cows and as an abettor of cow-slaughter by the Musalmans.

The Hindus, it is true, have established the *Gorakshani Sabhas* with the object of protecting cows, but they have never so much as thought of making a rebellion. It is the officials who are dreaming of rebellion, and are, under the influence of that dream, opposing the efforts for the protection of cows and encouraging cow-slaughter. The offence of the Hindus is only an imaginary one, while that of the officials is a real and palpable one. It is the officials who ought to be punished. How is it, then, that the Hindus are being punished instead of the officials?

The Hindus want to protect cows, for the worship and protection of cows has been with them a religious duty from time immemorial. The Hindu, no doubt, considers himself exceptionally blessed if he can protect cows, but he also knows full well that he will never be able, under the rule of beef-eating Christians, to prevent the slaughter of cows by the beef-eating Musalmans. Indeed, none but a mad man can think of achieving such an impossibility.

The efforts of the Hindus for the protection of cows did not bring about the disturbances, nor would the slaughter of cows by the Musalamans have brought them about. It was the undue encouragement given by the officials to the slaughter of cows by the Musalmans that brought about the disturbances. There would have been no disturbance if the officials had not permitted the Musalmans to slaughter cows anywhere and every where.

When the officials say that it is wrong to make any attempts to protect cows or to establish *Gorakshani Sabhas*, they only recriminate in the usual fashion of offenders. They have brought about the disturbances by their own conduct, and they now want to clear themselves by laying the blame at the door of others. It is the officials of the North-Western Provinces who are really guilty in this matter, for they are the men who have unduly encouraged cow-slaughter by the Musalmans. Sir Charles Crosthwaite, too, is guilty, in that he did not prevent his subordinate officials from doing that wrong.

But the Lieutenant-Governor is now abusing the Hindus and attributing to them seditious motives. He is thus still encouraging the Musalmans, and thus making the anti-Hindu Musalmans more anti-Hindu. Sir Charles Crosthwaite's offence is an unpardonable one.

The present is a golden opportunity for the *Pioneer* and people of the *Pioneer's* type. Our Allahabad contemporary has availed himself of this opportunity to screw up his animosity against the Hindus to the highest pitch, and is doing his best to set the Musalmans on the Hindus. He thinks that the military should be brought out in order to make the Hindus feel the British powers, and he is also trying his best to make the Hindus feel that the Musalmans are in greater favour with the Government than they.

British prowess is not unknown to the Hindus, nor are the Hindus unaware that the Musalmans are more favoured by the Government than they. The Hindus are also aware that it is newspapers of the type of the *Pioneer* that are the chief enemies of the State. It is not we, but Lord Canning who said that it was the *Friend of India* of Serampore which brought about the mutiny, and that the *Hurriyat* added fuel to the fire. If Lord Lansdowne had been Lord Canning, the *Pioneer* would have been punished and the *Englishman* would have been compelled to become more careful.

Protection of cows cannot and will not subvert the British Empire in India. There will be no reason to apprehend that danger, even if the country is dotted with *Gorakshani Sabhas* from one extremity to the other. But the subversion of the Empire will become possible if the *Pioneer* and the papers of its type are suffered to use their foul tongues unchecked, and if their views and proposals are accepted by the officials. They are the greatest enemies of the State who propose to weaken the Hindus and Musalmans one after another by setting them against each other.

History bears clear testimony to the fact that it is the faults of the officials that lead to great catastrophes in States. There was a civil war in England simply because the officials under Charles I committed injustice and oppression. It was also owing to the faults of the officials that James II was deposed and William of Orange invited to fill the throne of England.

Was it not, again, the fault of the officials that Louis XVI came to grief and the French Revolution was brought about? Italy could become independent only because the Italian people were driven mad by the oppression of the Austrian officials. If the Turkish officials had not been oppressive, Greece would have remained to this day subject to the Turkish yoke.

It was the oppression of the English officials that converted America into a republic, and it was the oppression of the Spanish officials that led to the separation of Mexico and South America from the Spanish dominions. The officials are the representatives of the sovereign, and it is owing to their faults the Governments are subverted. Hence the popular Hindu saying—"The fault of the sovereign destroys the State."

It was also the fault of the officials that the Sepoy Mutiny broke out. And if the Indian officials again become oppressive, there will again be a disaster, and no one will be able to prevent it. The men who are driven mad do not fear the cannon. The duty of the officials is to prevent the people from running mad.

Justice is the soul of statesmanship; and steps should be taken to make all the peoples inhabiting India-Hindus, Musalmans, Christians, Jains and Sikhs - feel that the officials are strictly just, and care should be taken that no officer can show undue partiality to any people in any matter or on any occasion.

Sir Charles Crosthwaite would have acted like a Provincial Governor and a representative of the sovereign if, instead of abusing the Hindus, he had checked the guilty officials and told them what their duties are. People will pay no heed to him who abuses others instead of checking the lunatic in his own house.

Sir Charles ought not to have even suffered the word "rebellion" to pass his lips. Impartial people are saying—"Sir Charles has raised the cry of rebellion, which never was, nor is, nor ever shall be, simply for the purpose of saving the guilty officials, through whose fault there has been bloodshed, from censure and punishment by the Home authorities."

The oppressions that could take place under Lord Dalhousie and others in the days of the East Indian Company are no longer possible. The relations between England and India have now become closer, and reports of oppressions by officials here now reach England in no time. Oppression cannot therefore now reach its climax, so as to become unbearable and so long as oppression does not reach its climax, there will be no rebellion. Sir Charles ought not therefore to have suffered the word "rebellion" to pass his lips-nay, he should not have even dreamt of rebellion.

The Hindus will be content if they can only enjoy peace and happiness. If they have peace and happiness they will never object to the British rule lasting till Doomsday. The Hindus want only peace and happiness and liberty to perform their religious duties free from interference. He must be wanting in foresight who exalts the Musalman with the view of humbling the Hindu, in the eyes of the English Government the Hindu and the Musalman are equal. If kept content both these races will be friends of the English Government: if not, not. Disturbances take place in a State when people run mad, and history is clear in its testimony that madness in the people is always the result of the fault of the officials. The sovereign is called "Raja" because it is his duty to please his subjects (Sanskrit 'Ranja' to please). The sovereign whose officials are able to please the people never loses his kingdom. It is the fault of the sovereign that ruins a State-it is the fault of the officials that leads to the subversion of Governments.

### **Sir Charles Crosthwaite's riot Resolution.**

9. The *Dainik-o-Samachar Chandrika* of the 7th September has the following :-

In his Resolution on the cow-slaughter riots, Sir Charles Crosthwaite has shown the same bias, which he showed in his speeches at Balia and Azamgarh. Every disinterested person will see that in this Resolution Sir Charles has tried to clear himself and his subordinates of all blame. Sir Charles sees that the subject of the cow-slaughter riots will be discussed in Parliament, and that the Government of India will be called upon for an explanation of those disturbances and he has therefore thought it fit to justify beforehand his own conduct as well as that of his officials in this connection. But even this self-justifying Resolution, Sir Charles has had to admit the inefficiency and want of foresight of the officials, and specially of Mr. Dupernex, the Magistrate of Azamgarh. Sir Charles has tried hard to clear Mr. Dupernex of blame, but in vain.

Sir Charles has admitted in his Resolution that Mr. Dupernex issued a notice relating to cow-slaughter in certain villages in which he apprehended breaches of the peace in that connection. But, as a matter of fact, this notice, which contained a list of the villages in which cow-slaughter takes place every year, and indulged in surmises as to the places where such slaughter was likely to produce disturbances this year, was published in every village in Azamgarh, and no wonder that it alarmed the Hindus on the one hand, and encouraged the Musalmans on the other. Where was the need, one might ask, of publishing in every village a notice which contained nothing but surmises as to the villages in which breaches of the peace were likely to take place?

In the Resolution issued by him, Sir Charles has not been able to refute a single statement of Pandit Bissen Narayan. On the contrary, a careful perusal of his Resolution will show that many of the Pandit's Statements find support in the Resolution.

If Mr. Dupernex has issued a notice to the effect that cow-slaughter would be permitted only at those places where it had always taken place, and that interference by the Hindus with cow-slaughter at such places would be punished, no disturbance would have taken place.

Pandit Bissen Narayan has stated that at the village of Mau the Hindus and Musalmans were trying to arrive at a mutual agreement about cow-slaughter; but as the discussions were naturally of a noisy character, the police took the whole thing for a riot and proceeded to fire. The Hindus thought that they were being fired upon by the Musalmans and got excited. It was thus, says the Pandit, that the mischief arose. If the Pandit is right, it is the police which is clearly responsible for the disturbance.

The Pandit has also said that the disturbance at another place was owing to a Joint-Magistrate having encouraged the Musalmans to cow-slaughter. How can one disbelieve what the Pandit has ascertained by personal enquiry on the spot and accept as gospel truth what Sir Charles has gathered from his officials? The fact is that Sir Charles has tried to lay all the blame of the cow-slaughter on the Hindus just as Sir Auckland Colvin laid all the blame of the Hurdwar affair on them.



Sir Charles lays all the blame of the late disturbances at the door of the Gorakshani Sabhas which, he says, had excited the Hindus against cow-slaughter. In support of this assertion of his, Sir Charles has referred to two or three cases in which certain Hindus had tried to rescue cows from the hands of butchers. But it is to be remembered that the facts in connection with those cases have not yet been fully disclosed, and that in one of those cases the Magistrates supported the Hindus.

Sir Charles also considers it a crime on the part of the Sabhas that they have provided asylums for cows that wander away or are uncared for. Yes, the jaundiced eye sees everything yellow.

Sir Charles also considers it a crime on the part of the Gorakshani Sabhas that they collect subscriptions from the Hindus for the protection of cows, and that they have made arrangements for the excommunication of those Hindus who will not contribute money in aid of that cause. We are not sure whether this statement about excommunication, which Sir Charles has certainly made on the authority of the guilty officials, is true. But even if this be true, the Gorakshani Sabhas cannot be in any way blamed. How can the Sabhas be blamed for the arranging for the excommunication of those Hindus who clearly fail in their duties as Hindus by refusing all aid in the work of the protection of cows, which to all true Hindus are objects of worship? How can those Sabhas be blamed when they have not excited the Hindus against the sacrifice of cows by the Musalmans in obedience to their religion or collected subscriptions for opposing such sacrifices?

We cannot, however, help suspecting that Sir Charles has privately censured those officials whose actions he has publicly defended in his Resolution, and we hope that the officials will be more careful in future.

#### **The Government of the North-Western Provinces in the recent riots.**

10. The *Dainik-o-Samachar Chandrika* of the 13 September has the following:-

The Lieutenant-Governor of the North-Western Provinces apparently thinks that he will be able to establish peace in the country simply by punishing the Hindus. But His Honor is mistaken in so thinking; for peace will never be established so long as the officers of Government do not treat the different sections of the people with impartiality. As things now stand, the unrest prevailing in the North-Western Provinces will go on spreading to other parts of the country. This is proved by the disturbance, which happened the other day in the Basantpur thana of the Saran district. The sight of the Commissariat cattle there would not have moved the Hindus if the officials of the North-Western Provinces have conducted themselves with impartiality. In Azamgarh, Balia, Bareilly and other places Musalmans have been made complainants and witnesses, and Hindus defendants, and there is now a close compact between the Musalmans and the officers of Government. This compact has driven the Hindus mad in despair, for they have now given up all hope of obtaining redress at the hands of the officers. The bad policy of Sir Charles Crosthwaite is now developing itself and doing more mischief day after day. Lord Lansdowne ought not to remain indifferent at this juncture. In any other country a ruler like Sir Charles would have been removed from office, and an impartial and capable man appointed in his place. But here the removal of a Magistrate from office is believed by Government to involve loss of prestige, so the removal of a provincial ruler is out of the question. The officers of Government

are determined to establish peace by putting down the Hindus by every means in their power. But the enforcement of this repressive policy will make many Hindus desperate. And who shall say that the conduct of the officers of Government is not serving as an encouragement to the Musalmans? The writer cannot suppose, for instance, that at Basantpur the Musalmans in charge of the Commissariat cattle did not behave improperly or give offence to the Hindus. The Government officials in the North-Western Provinces are now actuated by anti-Hindu feelings, and as the editors of most of the Anglo-Indian papers are hostile to the Hindus, they have selected the present opportunity to write against them. Thus the Hindus in the North-West find themselves opposed by the Musalmans, the officers of Government, and the editors of the Anglo-Indian and Musalman journals. They are thus in a very bad predicament at the present moment. Hindus all over India have become terror-struck at this, and the thought of what may befall them in the future is sorely exercising the minds of the far-sighted among them. At such a time as this, no Hindu editor ought to remain silent. Though their advice will not be accepted by the officers, still all Hindu editors owe it to themselves to give them that advice. The writer is sorry to see a certain influential Hindu journal in an indifferent attitude at this time. It would have been well if some arrangement had been made for the transfer of the riot cases from the courts of Balia, Azamgarh, and Bareilly, and if the trial of these cases had been entrusted to an independent tribunal consisting of judicial officers from other provinces. Their trial is causing great dissatisfaction. The Government of the North-Western Provinces probably wants to make Parliament believe that a great rebellion has taken place in India, and it is with that object that it is making mountains of mole hills. But it is not sound policy to adopt such a course. The situation requires that there should be an impartial inquiry into these events.

#### **The authorities in the cow-slaughter riots.**

11. In the *Sahachar* of the 9th August reference is made to the riots between Hindus and Musalmans in the North-Western Provinces, and the following remarks made:- The Lieutenant-Governor of the North-Western Provinces will of course say that he has the good of both Hindus and Musalmans at heart, that every one ought to perform the rites of his religion in such a way as not to hurt the religious feelings of others, and that Government will inflict severe punishments on people breaking the peace. Addressing the Hindus, His Honor will probably say-"You may consider cows as sacred, but what right have you to restrain the hands of those who eat its flesh?" But though these platitudes will be indulged in, nothing will be said to the officials who fomented these riots. No; they will probably only get credit for suppressing these riots. Thus it is clear that the surface wound only will be dressed, but no attempt will be made to reach the deep-seated sore. The people themselves will therefore have to do that. Moreover, what is the necessity of asking a European Magistrate to interfere in these religious differences? That is a matter, which should be settled by the leaders of the Hindu and the Musalman society. If a Magistrate like Mr. Dupernex had not interfered, the Hindus and the Musalmans of Azamgarh would have been able to settle their differences amicably. How long will the two peoples quarrel with each other? The Muhammadan Literary Society has hit upon the true remedy, and the Hindus should co-operate with the Society in the matter. The success of the jury agitation has shown what can be accomplished by the joint efforts of Hindus and Musalmans. And will the people now allow a few wicked European officials to set Hindus and Musalmans upon each other, and thereby destroy all their prospects of political advancement? Government will, of course, express satisfaction at the conduct of officers like Mr. Dupernex, but it will never avow that it is its policy to foment quarrels between the two peoples by

setting the lower classes among them against each other. Whatever the Provincial Governors may think on the subject, they know well that the Government of India, the Ministry in England, and Parliament will never encourage these race quarrels. The people's advantage lies in this. They ought to act in such a way as not to allow men like Mr. Dupernex an opportunity of interfering in their affairs. Let the people show that they have found out their false friends and their tricks, and act accordingly. They do not allow even the Supreme Government to interfere with their religion; why should they then allow Civilian Magistrates to do that? Let the leaders of the two communities meet together and settle their differences in such a way as will prevent such quarrels in future.

### **"The future danger of India"**

12. The *Sahachar* of the 30th August has the following in the course of an article headed "The future dangers of India" :-

Sir Charles Crosthwaite and some short-sighted European officials under him, who can see only present interests, are blaming the *Gorakshani Sabhas* as the cause of the recent riots. At Balia and other places hundreds of Hindus have been arrested and a great many of them have been sent to jail; many have fled, while not a few are trembling in fear as to what their lot will be. The writer asks the Government of India to see things with eyes wide open and to save the Empire from the danger with which it is threatened. The Empire is really in danger, for some hot-headed and anti-Hindu European civilians are, by oppressing the Hindus, placing facilities in the way of Russia gaining her object. It is a great mistake to blame the Hindus and punish them for the recent disturbances. As for the *Gorakshani Sabhas*, they have not been newly established nor were their members the men who attacked the Musalmans. The Hindus who attacked the Musalmans of Azamgarh had nothing to do with the *Sabhas*. This being the case if the authorities attempt to coerce the *Sabhas*, they will be guilty of committing oppression on a truly loyal people. Were there *Gorakshani Sabhas* in Rangoon? Why were the Hindus in Prabhas Patan attacked and why those riots in Bombay? In Bombay Mr. Vincent, the Police Commissioner, is blaming the *Gorakshani Sabhas* simply because he wants to hide the errors of judgement he himself committed in connection with the riots there. Like other officers, he connived at, or made light of these riots, in order that by putting them down he might get a knighthood like Sir Frank Souter. He had thought of catching fish by making a breach in the embankment and closing the breach as soon as he had got enough fish for his dinner. But the rush of water through the breach having proved too heavy for him, he could not close the breach as he had thought he would. And the result of his making that breach in the embankment was that the men who used to shut their door at the sight of red *pugris* defied even the soldiery. In Calcutta, too, the Musalmans arranged to have a riot, which was only prevented by the prompt action of the Police Commissioner. But are there *Gorakshani Sabhas* in Calcutta? Large numbers of cattle are daily slaughtered in Calcutta, and butchers drive through the streets every evening the animals, which they intend to slaughter. The Hindu goalas, again, sell their cattle to these butchers. But how is it that, in spite of this, a conspiracy was set on foot in Calcutta to destroy Hindu temples and to commit murders and other excesses? Who opposed the slaughter of cows in Calcutta? Government should be on its guard and reject the statements of those officers who, having Mr. Paul's resolution in view, are not committing oppressions on the Hindus. The Empire has been won with the blood of large numbers of Hindus and who shall say that Government's present policy towards the Hindus is not discussed in the ranks of those Gurkha and Sikh soldiers upon whom it relies so much?

Formerly the Hindus under British rule had no cause for anxiety; but now Government's attitude towards them has given rise to various thoughts in their minds. This is a thing, which Government ought to take into account. Nevertheless, the Hindus still remain deeply loyal to the Maharani, and not a word against the Government has yet escaped or will ever escape their lips. They know that Sir Charles Crosthwaite and his officials are not the arbiters of their fate, and that the Viceroy has not the prejudices of the civilian body, and will yet do them justice. And the question now is if through the machinations of Russia and the foolishness of the European officials of Government the Hindus lose their confidence in the Viceroy and the British people, would that be for the good or the evil of the Empire?

### **The cow-slaughter question.**

13. The *Dacca Gasette* of the 17th July has the following:-

The Hindus and Musalmans have been living together in this country for a long time, but why have riots between these two peoples become so frequent of late? It is not infrequently seen that the Hindu joins in the Musalman's religious and social rites and festivities, and the Musalman reciprocates the Hindu's civilities. Why then are riots and disturbances between them so often heard of now? It is necessary that the cause of such disturbances should be soon ascertained, otherwise the matter will gradually assume a more serious aspect, and great harm will come to both sections of the people.

The evil can be, no doubt, remedied in a great measure by the authorities acting carefully in the matter. The principal causes of the quarrel between Hindus and Musalmans is the slaughter of cows by the latter. The cow being looked upon by the Hindus as a goddess, his religious feelings are naturally wounded to see it slaughtered before his eyes. On the other hand, the slaughter of cows being permitted by the Muhammadan religion at certain festivals, no one has the right to prevent the Musalman from practising the rite. Under these circumstances, the quarrel between the two peoples cannot be easily made up. Indeed, these quarrels will not cease if each does not pay due regard to the religious feeling of the other. A mediator is therefore needed. But who is to be the mediator? One naturally looks to Government to be such a mediator. These quarrels can never happen if Government acts with justice and firmness. But unfortunately the authorities themselves, by their unjust and inconsiderate action, often provide, occasion for such quarrels. What the authorities seem very often to forget is that no unjust claims or demands made by any section of the people in the name of religion ought to be conceded or granted. No objection made by the Hindus to the slaughtering of cows by Musalmans should be heeded; and Musalmans should not, on the other hand, be allowed to slaughter cows in public places or before the eyes of the Hindus. It is a matter of regret, however, that most of the officials seem to like these breaches between the Hindus and Musalmans, and want to estrange their feelings from each other. These officials seem scarcely to take note, who will be the greatest loser under these circumstances. They do not see that it is the Government, which will have to sustain the greatest loss if these quarrels are allowed to go on increasing. The British Empire in India is based on the loyalty of its people, both Hindu and Musalman. No brute force can save the Empire from falling into a state of the most horrible anarchy if either the Hindus or the Musalmans become discontented with British rule. The handful of English soldiers in this country will in that case be washed away in the torrents of blood, which will be set aflowing by the indiscriminate slaughter of Hindus and Musalmans by each other's hands. It is therefore clear that quarrels between Hindus and Musalmans are

not conducive to the permanence of British rule. But that Empire will be based on a solid foundation if the Hindus and Musalamans are united in bonds of love and friendship; and both these peoples will enjoy peace and happiness under such a rule. It is, no doubt, unfortunate for India that her rulers do not see this.

#### **The officials in the Azamgarh disturbance.**

14. The *Banganivasi* of the 11th August has the following:-

We cannot say when the Hindus and Musalmans will cease quarrelling over cow-slaughter. The Hindus and Musalmans are the only people who will suffer harm in consequence of these quarrels, for those who set them against each other will only enjoy the scene from a distance. The mean and short-sighted officials cannot see that the weakening of the people by internal dissensions means the weakening of the State. And because they fail to see this, they make every possible effort to set Hindustanis against Bengalis, Rajputs against Sikhs, Sunnis against Shiahhs, and Musalmans against Hindus. Restless and short-sighted officers cannot prevent impending disturbances of the peace easily, and without bloodshed, as sober, staid, and high-minded officers can do.

It is found on enquiry that the late disturbances at Azamgarh were mainly due to the carelessness of the officials. Several serious charges have been made against the officials in this connection, and it is to be hoped that the Local Government will not fail to make a proper enquiry into the truth of those charges. The people hope that even if Sir Charles Crosthwaite is unable to punish his subordinate officers, the Government of India will enquire into the matter.

Messrs Brunvate and Dupernex have committed an offence whose enormity nothing can exceed, if, being Government officers they have really incited the Musalmans to cow-slaughter. The Musalmans had, it is said, intended not to slaughter cows at certain places. But these officers, it is said, dissuaded them from that intention. Mr. Dupernex granted permission for cow-slaughter even at places where no cows had been sacrificed even during the Musalman rule. He summoned the Hindus, and told them to give an agreement to the effect that they had no objection to cow-slaughter. It was also proclaimed throughout the town by beat of drum that cow-slaughter would be permitted between 9 A.M. and 12 noon. This proclamation was not at all necessary, and it was certainly a very short-sighted act. Its only effect was to wound the feelings of the Hindus. Every one can see the object of the officer in provoking the Hindus in this way. But the English officer did not stop here. It is said that he compelled a Hindu tahsildar, a Hindu Deputy Collector, a Hindu Police Inspector, and even several Hindus raises to witness cow-slaughter. On what principle of justice or policy can this act be justified?

Even under the Musalman rule such occurrences did not take place everywhere. And how is it that far more oppression is now committed in the name of the liberal, noble, impartial and enlightened English Government than was ever committed under the Musalman rule? One is at a loss to explain this to oneself.

The Hindus are charged with having been the aggressors; but an examination of the facts will show that this is a false charge.

Even if it is granted that the Hindus became frantic, it becomes necessary to consider who were the persons that drove them mad. Who on earth can hear his religion traduced, and see it insulted and interfered with, and not get excited? The meanest worm when trampled upon turns round upon its oppressor. It is, therefore, unreasonable to expect the Hindus to look calmly on while their religion is interfered with again and again.

Again the Kshatriyas have been told that they will be whipped publicly if they make any attempt to save cows from slaughter. The Maharaja of Dumraon, and the late Member of the North-Western Provinces' Legislative Council, Raj Durga Prasad Bahadur, both of whom have landed property at Azamgarh, have also been insulted by being served with a notice requiring them to show cause why they should not be prosecuted for complicity in the disturbances, although they never went to that place. A born blind, who could not possibly have taken part in the disturbances, was sent to hajut. In short, all Hindus have been oppressed.

Nothing on earth will produce disturbance if not such things as these. A public enquiry into the matter is necessary, for without such an enquiry it will be difficult to maintain the peace. It is not possible to maintain the peace for ever by brute force.

#### **The Government of the North-Western Provinces in the cow-killing riots**

15. Referring to the precautions which were taken at Agra to prevent a collision between Hindus and Musalmans on the occasion of the Chilum festival, the same paper says that it will be difficult to live in this country if, at every festival, a quarrel between Hindus and Musalmans has to be apprehended. Indeed, it is high time that the leaders of the two communities took steps to prevent these quarrels. Sir Charles Crosthwaite has widened the breach between the two peoples by throwing the whole blame of the riots on the Hindus and showing indulgence to the Musalmans. It seems to be the policy of the North-Western Provinces authorities to weaken the country by setting the two peoples by the ear. Peace and friendly feeling among the various classes who inhabit India will be impossible so long as the authorities continue to show special favour to some and to rebuke others at every step.

### **BOMBAY**

#### **Remarks on the disturbances between Hindus and Muhammadans.**

16. Alluding to disturbances between Hindus and Muhammadans, the *Shubh Suchak* in its issue of the 21st July, says:-

These disturbances take place generally on the Bakri Id and Moharam holidays. The object of the Muhammadans is to wound the religious feelings of the Hindus by slaughtering cows on these holidays in the neighbourhood of a place or temple held sacred by the latter, although they have separate places allotted to them for slaughtering cows in. Will the Muhammadans ever do such acts if they once receive exemplary punishment? Have Government ever thought of framing rules as to how Muhammadans should conduct themselves on such occasions and bringing them into force? If Government once severely punish the aggressors, no such disturbances will ever take place. Such riots do not occur in a Native State, even in the Muhammadan State of Hyderabad (Deccan); they take place

in British territory, from which fact we infer that the Muhammadans have the support of European officers. We think that bigoted Muhammadans do not see that they and the Hindus have to live together. There are many grounds to say that such disputes arise on account of the belief of many European officers in the principle of 'Divide and rule.' Ye Muhammadans ! What is your object in destroying cattle useful to agriculture? Do you not see that you are bringing about your own ruin at the instigation of others who wish to accomplish their own object? Awake and behave towards each other as children of the same mother!

**Remark on the recent disturbances between Hindus and Muhammadans  
in Northern India.**

17. The *Karnatak Patra* in its issue of the 31st July, writes:-

Beside the great riot at Rangoon, which originated in an attempt made by the Musalmans of that place to kill a cow on a public road, several similar riots are reported to have taken place in Northern India last month. The *Gorakshani Sabhas* in the districts of Balia and Gazipur have been the immediate cause of the disturbance. Twice or thrice since January last large numbers of villagers belonging to these districts sallied forth with *Lathis* in their hands to rescue herds of cattle whenever they learnt that butchers were driving the herds from neighbouring villages to Benares and other places for slaughter, and were successful in their attempt. The 25th of last month was the Bakri Id of the Musalmans, and large numbers of cows were to be slaughtered by them at Mhow and many other places on that day. Mobs of several thousand villagers from Ballia and Ghazipur streamed across the borders of those districts, and entering Mhow and some other villages and towns in its vicinity at daybreak of the 25th June suddenly attacked the Musalmans of those places. A regular fight with *Lathis* took place between the two parties at Mhow, Ghosi, Jianpur, Adri and some other places, and many men were killed on both sides, notwithstanding the strenuous efforts of the district authorities to maintain peace. The Hindus were successful in their attempt to protect cows in most cases, and they forced the Musalmans of Mhow to pass an agreement never to kill a cow. No such quarrels were ever heard of between Hindus and Musalmans ten years ago. The Anglo-Indian Nabobs must thank themselves for this consequence of their knavish tricks based on the principle of "divide and rule." They at first fomented quarrels between Government servants of different castes. When they found Brahmans to be more than a match to them in intelligence and official abilities, they tried to push them back by setting other castes against them. Quarrels between Brahmans on one side and Kayasthas, Musalmans, Parbhus, Lingayats or Mudliars on the other thus came into existence some twenty-five years ago, i.e., soon after the Universities began to send out large numbers of Brahman graduates for Government service. A pretty fair success achieved by this trick encouraged the great *Saheb logue*, whose greed for power and money was in danger of being checked by their Brahman subordinates, the time-honoured guardians of India. They therefore extended the operation of the same formula, "divide and rule," to the higher purpose of raising quarrels between race and race, when the Indian National Congress was brought into being. The Parsis and the Musalmans were patted on the back and let loose to oppose the leaders of that great movement. But the former proved too advanced to be so easily misguided by the designing Anglo-Indian organs, while the ignorance and fanaticism of the latter fully answered the purpose in view. A champion of the Musalman community accordingly made his appearance on the platform, and promised to pull the Congress to pieces to the great joy of the wire-pullers behind the

curtain. But his invectives against his Hindu brethren and "cries of wolf" hardly made any impression on his own community, and thus he withdrew from the stage with a sorry face. The Hindu community, whose mildness is proverbial, calmly bore all that was said by the simple Sir Syed Ahmed, as they did on the occasion of the famous Albert Bill, and, so far as we can judge, nobody ever thought of an antidote to such exhibition of ill temper against them. But by a strange coincidence of circumstances the idea of protecting the cow was put into the heads of his countrymen by a learned Hindu sage in the south about the very time when Sir Syed Ahmed was making his victorious tours in Northern India. The sage was in no way concerned with the Congress, and probably never knew who its opponents were and what they were saying about it. The few Gorakshani Sabhas organized by him are now in a flourishing condition and thousands of poor, useful and harmless animals have been saved by their efforts. Nobody thought that these apparently harmless Gorakshani Sabhas would ever prove a source of riots and disturbances in any part of the country. But the fact is that religious fanaticism is the same in all ignorant masses, whether they be Hindus, Musalmans or any other nationality. Musalman fanaticism, deliberately awakened by the Anglo-Indian wire-pullers, has thus come face to face with the equally fanatic order of the Hindu masses for the protection of the cow, innocently put into action by a learned Pandit of their own community. It is now the duty of Government to find means to put a stop to these troublesome scenes, which, if allowed to continue any longer, may end in serious consequences. The imposition of punitive police now resorted to by Government will, we are afraid, prove worse than a deliberate fomentation of quarrel between the two parties. For the poor people will thereby be further irritated for their inability to meet the heavy demands of Government on their scanty means, and it is quite possible that the Hindu and Musalman sepoys forming the punitive police may sympathize with their respective parties and thus give a more serious aspect to the animosity now existing between the unarmed and half-fed rayats.

#### **The Preventions of cow-killing and the action of Government**

18. The *Rajyabhakta* in its issue of the 8th August, observes:-

The question of prevention of cow-killing has so much influenced the Hindus that they are prepared to sacrifice their lives for the sake of cows. It is gratifying that Government are not indifferent in this matter, still the accounts of recent riots between Hindus and Muhammadans at Azamgarh and other places show that Government officers are encouraging the Muhammadans in their attempts at wounding the religious feeling of the Hindus. This is likely to lower Government in the estimation of the Hindus. It is not in the interests of Government to violate the solemn promises given in the Queen's Proclamation of 1858 by keeping aloof from all interference in religious matters. The Hindus are extremely meek, but everything has its limit; and history shows that they have taken extreme steps when their endurance has been tried to its utmost. If the Mogal Emperor Akbar prevented the slaughter of cows, why should not the British Government do the same? Even on principles of political economy it is incumbent on Government to do it. Government in showing leniency to Muhammadans in this matter are doing an act of injustice to Hindus. Government officers are to be blamed for the riots at Azamgarh and other places on the last *Bakri Id* holiday, for they gave free permission to the Muhammadans to slaughter cows on public roads and forced an undertaking from the leading Hindus that they would not molest them. The Muhammadans thought that Government were on their side and did not care for the religious feelings of the Hindus and serious consequences ensued. Government ought to take notice of the blameworthy conduct of these officers and show that they had no hand in the matter.



19. The *Kalpataru* in its issue of 20th August, states:-

The general belief in Bombay is that from 300 to 500 persons must have been killed in the riots, though the English and vernacular newspapers fix the number at only 100, for a number of corpses were seen by people while they were being taken away loaded in carts like firewood. Now, there being strict military and police surveillance nobody dare commit a riot openly, but some Muhammadans, it is said, get their beards shaved, apply to their foreheads sandalwood-powder marks and dress like Hindus, and mixing among Hindus commit attacks on them by stabbing them with knives which they carry about them under their clothes. Some Hindus died from having used milk and sweets poisoned with arsenic by Muhammadan sellers, and since these deaths it is said the police have ordered that nobody should buy milk offered for sale by Muhammadans. Amongst the men arrested by the police and sent to jail was one innocent gentleman who had gone to see a demolished Masjid. He states that on the first day of his imprisonment he was given raw rice to eat, on the second day some split gram and on the third some parched rice, and that if he had not been released on bail he would have died after two days. It is said that Mr. Vincent, Police commissioner, suspected a high police officer, a Muhammadan, to have incited the Muhammadan rioters. There is similar talk about two other high Muhammadan police officers. If this report be true, it remains to be seen what notice is taken of these officers. We have received a heart-rending account from an eye-witness of the state of destitution in which some of the Hindu families left their lodgings and took shelter in the Madhav Bag and of the outrages committed by Muhammadan rioters on Hindu women.

**Sir Charles Crosthwaite's speech on the riots at Ballia and Azimgarh criticised**

20. The *Mahratta* in its issue of the 27th August, writes :-

Sir Charles Crosthwaite, the Lieutenant-Governor of the north-West Provinces, held two important Darbars at Ballia and Azimgarh on the 11th and 15th instant, respectively, which were attended by the local nobility and gentry. The immediate cause of the "sudden and unexpected visit" on His Honour's part to the two districts was the serious riots between Hindus and Muhammadans in that part of the United Provinces in June last on the occasion of the Muhammadan festival of Bakar Id. The bad blood and passions stirred up between the two communities required to be appeased, and it would have been better if his honour had during his addresses at both the Darbars followed in the footsteps of Sir A.P. MacDonnell and confined himself to restoring peace and good-will between the two communities, the more especially so since the evidence which would enable an impartial observer to fix the responsibility for the unfortunate riots on the leaders of one or the other community is not available. Under these circumstances we are grieved to find that the responsible head of the local Government should have undertaken upon himself the responsibility of charging the Hindu landed aristocracy of four districts in the United Provinces with having instigated the lower classes of the Hindus to commence the riots, and this too at a time when, according to his own admission, His Honour knew that there was not sufficient evidence before him. It would appear from the painfully interesting narrative of Mr. Dhar, Barrister-at-Law of Lucknow, who visited the scenes of the riots and made minute enquiries on the spot, that it was not the Hindus alone, but the Muhammadans also, who had assembled together at the places of disturbance throughout the four districts. Such being the case, it is difficult to see why Sir Charles Crosthwaite should have singled out the members of the Hindu landed aristocracy of the four districts for this denunciation and censure. Could not His Honour

have found a really satisfactory explanation of the particularly distinctive feature of this year's disturbances in the fact that the district officers had displayed a wanton disregard for the feelings of the Hindu community in ostentatiously authorizing indiscriminate cowslaughter by Munammadans on the occasion of their religious festivals in places where no such slaughter had been allowed for years past, and that too against the spirit of his explicit orders on this very subject. We are afraid that Sir Charles Crosthwaite's speeches at Ballia and Azamgarh will have the effect of adding fuel to fire; for his sweeping and unwarranted condemnation of the conduct of the Hindu landed aristocracy cannot be looked upon by us in any other light than that of its being an attempt to add insult to injury to the Hindu community. It is to be hoped that the Government of India will intervene in time, and refer the whole question to a commission with authority to enquire into the truth or otherwise of the statements made in Mr. Dhar's narrative.

### N.W. PROVINCES.

#### Id disturbance Bareilly and Azamgarh.

21. The *Hindustani* (Lucknow), of the 12th July, states that though no serious riots occurred at Bareilly as at Azamgarh, there is general dissatisfaction at Bareilly with the proceedings of the local officers. With reference to the riots in Azamgarh, the *Pioneer* lays the blame on the Hindus. But the ill-digested orders issued by inexperienced Civilians are chiefly responsible for such disturbances. Is it true the permission was granted to Musalmans to kill kine freely, and that far from any endeavours being made to conciliate the Hindus they were ill-treated? Did not Mr. Moule and Mr. Macpherson deal severely with the Hindus of Bareilly on the suspension of traffic by the latter, and did not their undue sympathy with the Musalmans encourage them to annoy Hindus? Religious quarrels generally break out among the lower classes, such as butchers, weavers, cotton-carders, Ahirs, Lodhas, etc. At the instigation of Lord Salisbury, the inhabitants of Ulster are ready to rebel. Similarly, the Musalmans of Bareilly, being convinced of the partiality of Mr. Moule and Mr. Macpherson towards them, made it a point to insult and harass the Hindus. District Magistrates sometimes make serious mistakes, and sometimes the orders issued by a Magistrate are reversed by his successor. The editor is not prepared to say that the officers intentionally stir up animosity between Hindus and Musalmans, though there are some Anglo-Indians who take Sir John Strachey for their leader and who think that the existence of mutual ill-will between the two communities is essential to the maintenance of British rule in this country. Messrs Moule and Macpherson at Bareilly and Mr. Dupernex at Azamgarh were guilty of reprehensible proceedings. The *Pioneer* states that if the Hindus were dissatisfied, they might have appealed to the Local Government, but should not have taken the law into their own hands. But we know from every-day experience that appeals are worse than useless. In 99 cases out of a hundred the orders of an Assistant Magistrate, even if wrong, are upheld by the District Magistrate, those of Commissioner by the Local Government. The educated natives have learnt the constitutional methods of agitation, but such methods are quite unknown to the ignorant peasants of Azamgarh, who, finding their religion attacked and the Magistrate unfavourably disposed towards them were naturally induced to take the law into their own hands. The *Pioneer* rejoices at such disturbances and reproaches the English Radicals for advocating the claims of men, who are ready to break each other's heads, to a larger share in the administration of the country. But all religious strife would be avoided if wiser counsels prevailed with the officers. Since the above was written, the editor has received a communication from Azamgarh, which shows how a young and inexperienced Civilian can ruin a large district. At the instigation of some Musalmans, the Magistrate asked for a list of

the places within the town where the Musalmans intended to kill kine on the day of the Id. On receipt of the list he sent for the Hindus living near those places and forced them to declare that they had no objection, without taking the trouble to satisfy himself that kine had always been slaughtered at the identical places. Some Hindus were even arrested and sent to the lock-up. On the day preceding the Id he issued a proclamation permitting Musalmans to freely kill animals between 9 A.M. and 12 noon, and the result was that hundreds of kine were slaughtered within the town. He was not content with grant of free permission, but himself attended several places to witness the slaughter. The feelings of the Hindus may be easily imagined. However, the Hindus living in the town did not allow passion to overpower their reason and did not break the peace. But the ignorant Hindu villagers at several places in the interior of the district made efforts to forcibly rescue kine. In the affrays that ensued the Hindus were generally killed, except at Mhow, where some Musalmans were killed by the police. Now Hindus themselves are being arrested by the police. The Hindu traders in the city are being much oppressed by the tahsil officials in connection with the supply of provisions to the troops and the additional police force which have been sent to Azamgarh. If the higher authorities do not interfere and put a stop to all this tyranny and oppression, the whole district will be ruined.

#### **Government and religious disputes.**

22. The *Sitara-i-Hind* (Moradabad), of the 20th July, regrets to notice that the authorities pursue the divide-and-govern policy and excite religious animosity between the Hindus and Musalmans. But such a policy is equally injurious to Government and the people. If a strong religious feeling were once excited among the people in a large part of the country, the contagion might spread to the native army. Government ought to benefit by the bitter experience of 1857 and restore friendship between the two communities instead of encouraging mutual discord.

#### **CENTRAL PROVINCES**

##### **Remarks against Mohammadans in regard to the slaughter of kine.**

24. The *Shubh Chintok* (Jubbulpore), of August 12th, in continuation of its previous articles on the subject of the preservation of kine, observes that there is no doubt that *Bhagwan* will some day espouse the part of the cow and award suitable punishment to the butchers, but who will avenge the unbearable afflictions that have befallen her at present? The rulers of the country cannot be expected to save cows from slaughter, for they themselves are beef eaters. Alas, there was once a time when the Indian Rajas used to protect the cow, and sought to afford the people milk, butter, ghee &c., in abundance, but the present time is such as, not to speak of milk and curd, the people cannot even get cowdung and cowdung fuel! It is to be regretted that beef-eaters do not abstain from this diet, notwithstanding it has been proved as being productive of various diseases. Some Europeans are, however, very judicious, and give up anything they consider injurious to health as is evidenced from Vegetarian Societies established in Europe; but the Muhammadans are very obstinate, and consume beef like vultures, owing to the envious feelings they entertain towards the Hindus. How is it that the breath and persons of Muhammadans are so offensive? Because, in the first place, the beef it-self is a putrid substance— and, secondly, particles of it get wedged in between the teeth and remain there for days. And again, owing to the properties of beef, the consumers perspire profusely, with the result that vermin is bred largely; and

since Muhammadans do not bathe-if they bathe at all, they do so either on a Thursday or a Friday, or only on the occasion of a festival-they are therefore covered with vermin.

### **The Gao Ruksha and the people of Nagpur**

25 The *Shubh Chintak* (Jubbulpore), dated 19th August 1893, in continuation of its previous article on the anti-kine-killing movement, remarks that the Muhammadans believe that by eating meat they will go straight to Paradise, and this is the reason they not only slaughter cows, but other animals also: they do not, however, think of the tremendous loss in India which kine-killing has caused and is causing to agriculture, whereby they also are co-sufferers with the Hindus. This being the case it is not known why they slaughter kine, and cherish ill-feeling against the Hindus; it has been rightly said that when one's ruin approaches, his senses desert him. Although Muhammadans know that their living depends much upon the Hindus, yet they will persist in creating disturbances to hurt the feelings of their well-wishing Hindus brethren, at least on the day of *Bukri Id*, if not always. This year the obstinate and hard-hearted Muhammadans persisted in slaughtering kine to annoy the Hindus, which obstinacy they carried to the end through the support of a few short-sighted officers. Refers to the several recent riots at Rangoon, Azamgarh, Junagarh, Bombay and other places, and remarks that the chief cause of the Muhammadan's creating such disturbances and causing bloodshed will gradually become known.

### **The Gao Ruksha and the people of Nagpur**

26. The *Shubh Chintak* (Jubbulpore), 26th August observes as follows:- It is a matter for regret that the Muhammadans have been devising various schemes to frustrate the objects of the *Gao Ruksha* movement and prejudice Government against the Hindus. To put an end to the anti-kine-killing movement and annoy Hindus, the Muhammadans slaughter kine in open *maidans* on the occasion of the *Bukri Id* and other festivities, thinking that by sacrificing cows they will go to Paradise. The short-sightedness of the authorities has encouraged the Muhammadans to interfere in the religious privileges of the Hindus, whose unbearable afflictions are increasing daily. Sir Charles Crosthwaite, the Lieutenant-Governor of the North-Western Provinces, espousing the part of the Muhammadans at the Durbar at Ballia, declared that the *Gao Ruksha Sabha* was the cause of the Muhammadans' rioting. Alas! that the Lieutenant-Governor should say so without due deliberation. Does His Honor not know that Hindus regard the preservation of cows as a duty, in the same manner as Muhammadans consider kine slaughter theirs? In the same way as Muhammadans display their ardour in slaughtering kine-the authorities assisting them-Hindus endeavour to prevent such slaughter. This being so, how can the Lieutenant-Governor assert the *Gao-Ruksha* movement is the cause of the riots and express an *ex parte* condemnation? Praises the Lieutenant-Governor of Bengal for his impartial treatment of Hindus and Muhammadans. Had Sir Charles Crosthwaite followed the example of forbearance and impartiality displayed by Sir Antony MacDonnell, he would never have uttered such caustic words so pregnant with partiality, under present circumstances and at the present time. When so high an authority reveals his policy beforehand, at a time when the cases of both Hindus and Muhammadans are pending in Courts of law in different cities, why will not the trying Magistrates decide them in accordance with His Honor's opinion.

## **Views of the authorities on the religious riots between the Hindus and Muhammadans**

27. The *Subodh Sindhu* (Khandwa), of August 30th in stating that religious riots have taken place between the Hindus and Muhammadans since the past ten years in Northern India in connection with the slaughter of kine, refers to the serious riots committed at Rangoon, Azamgarh and other places during the current year, and observes that if such rioting be not nipped in the bud, Government will find considerable difficulty in putting them down later. This was pointed out to Government on several previous occasions, but the authorities took no notice; and not only this, but Muhammadans were given undue liberty in some places, which encouraged them. Government being, neutral, should treat both parties alike, but this is not done; and when occasion for administering justice in religious matter arises, the authorities always come down only upon the Hindus, and instances of the kind have frequently come under observation.

## **Remarks on the riots between the Hindu and Muhammadans at Bombay**

28. The *Mauji Nerbudda* (Hoshangabad), of September 1st, referring to the recent riots at Bombay, observes that there must be some cause for the feelings of animus that have sprung up suddenly between the Hindus and Muhammadans, who nearly 10 or 12 years ago were on amicable terms with each other, took part in each other's religious processions, and almost all the native Chiefs respected the religious ceremonies of the Muhammadans and also themselves participated in them. Are these riots the outcome of the National Congress? Has the kine preservation movement passed a decree for man-slaughter? Have the Hindus and Muhammadans resolved to annihilate each other? Have the Hindus determined to take revenge upon the Muhammadans for the latter's invading and conquering India in ancient times and to extirpate them from the country now? If this idea has sprung up amongst them to-day concerning the Muhammadans, the same will be formed in regard to the British Government hereafter, in which case it will be difficult for them to save themselves then from cannon balls and bullets, though they have now to deal only with stones, bricks and staves. The administration is to blame and not the Hindus and Muhammadans. Should Government troops and the Police proceed to the scenes of riots after the Hindus and Muhammadans have freely fought and killed several on both sides, to waste ammunition and kill others, and the correspondents of English newspapers publish false accounts of the riots and cause further agitation amongst the contending factions, and sow the seeds of enmity between them even at places where no riots occurred? The accounts of the riots published in the *Pioneer* are altogether false, as would appear from the *Akhbar-e-Alam-Afros* of Bombay and the *India (?) Gasette*. As all the riots have originated from the Hindus, and as the slaughter of kine, particularly the sacrifice of cows, is the cause of the said riots-for nobody ever thinks of the slaughter of the kine that goes on daily in cities and markets-the natural inference drawn is that the crusade is not against kine-killing in general, but against the Muhammadans only or their religion. The *Mouj* therefore requests the Hindus to arrange, in the first instance, stopping the slaughter of cows for consumption of British soldiers, as more than one hundred thousand cows are slaughtered annually on this account. If the Hindus will succeed in effecting this, and Government will accede to their request, there will be no difficulty then whatever in regard to Muhammadans. But if the Muhammadans only are to be forced to abstain from kine-slaughter, particularly when performing their religious ceremony, the Hindus will not be exonerated from the blame of any rioting, as they will be regarded as the source of the quarrel and the ruin of the country.

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Extracts from  
**Constituent Assembly DEBATES (Proceedings)**  
**(9th December, 1946 to 24th January, 1950)**

**Volume VII**

**Wednesday, 24th November, 1948**

**Mr. Vice-President:** We now come to new article 38-A - amendment No. 1002 standing in the names of Pandit Thakur Das Bhargava and Seth Govind Das. Article 38-A.

**Seth Govind Das:** Sir, I have an amendment to the amendment of Pandit Thakur Das Bhargava, which I will move after Pandit Thakur Das Bhargava has moved his amendment.

**Pandit Thakur Dass Bhargava (East Punjab: General):\*** [Mr. President, the words of the amendment No. 72 which I am moving in place of amendment No. 1002, are as follows: -

"That for amendment No. 1002 of the lists of amendments to 38-A the following be substituted: -

'38-A. The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall in particular take steps for preserving and improving the breeds of cattle and prohibit the slaughter of cow and other useful cattle, specially milch and draught cattle and their young stock'."

At the very outset I would like to submit that this amendment.....]

**Shri S. Nagappa (Madras: General):** Sir, on a point of order, my honourable Friend, who can speak freely in English, is deliberately talking in Urdu or Hindustani, which a large number of South Indians cannot follow.

**Mr. Vice-President:** The honourable Member is perfectly entitled to speak in any language he likes but I would request him to speak in English though he is not bound to speak in English.

**Pandit Thakur Dass Bhargava:** I wanted to speak in Hindi, which is my own language about the cow and I would request you not to order me to speak in English. As the subject is a very important one, I would like to express myself in the way in which I can express myself with greater ease and facility. I would therefore request you kindly to allow me to speak in Hindi.

\*[Mr. Vice-President, with regard to this amendment I would like to submit before the House that in fact this amendment like the other amendment, about which Dr. Ambedkar has stated, is his manufacture. Substantially there is no difference between the two amendments. In a way this is an agreed amendment. While moving this amendment, I have no hesitation in stating that for people like me and those that do not agree with the point of view of Dr. Ambedkar and others, this entails, in a way, a sort of sacrifice. Seth Govind Das had sent one such amendment to be included in the Fundamental Rights and other members also had sent similar amendments. To my mind, it would have been much better if this could have been incorporated in the Fundamental Rights, but some of my Assembly friends differed and it is the desire of Dr. Ambedkar that this matter, instead of being included in Fundamental Rights should be incorporated in the Directive Principles. As a matter of fact, it is the agreed opinion of the Assembly that this problem should be solved in such a manner that the objective is gained without using any sort of coercion. I have purposely adopted this course, as to my mind, the amendment fulfils our object and is midway between the Directive Principles and the Fundamental Rights.

I do not want that, due to its inclusion in the Fundamental Rights, non-Hindus should complain that they have been forced to accept a certain thing against their will. So far as the practical question is concerned, in my opinion, there will be absolutely no difference if the spirit of the amendment is worked out faithfully, wheresoever this amendment is placed. With regard to Article 38, which the House has just passed, I would like to state that Article 38 is like a body without a soul. If you fail to pass Article 38-A, which is the proposed amendment, then Article 38 will be meaningless. How can you improve your health and food position, if you do not produce full quota of cereals and milk?

This amendment is divided into three parts. Firstly, the agriculture should be improved on scientific and modern lines. Secondly, the cattle breed should be improved; and thirdly, the cow and other cattle should be protected from slaughter. To grow more food and to improve agriculture and the cattle breed are all inter-dependent and are two sides of the same coin. Today, we have to hang our head in shame, when we find that we have to import cereals from outside. I think our country is importing 46 million tons of cereals from outside. If we calculate the average of the last twelve years, namely, from 1935 to 1947, then it would be found that this country has produced 45 million tons of cereals every year. Therefore, it is certain that we are not only self-sufficient but can also export cereals from our country. If we utilize water properly, construct dams, and have proper change in the courses of rivers, use machines and tractors, make use of cropping and manuring, then surely the production will increase considerably. Besides all these, the best way of increasing the production is to

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\* [] Translation of Hindustani speech.

improve the health of human beings and breed of cattle, whose milk and manure and labour are most essential for growing food. Thus the whole agricultural and food problem of this country is nothing but the problem of the improvement of cow and her breed. And therefore I would like to explain to you by quoting some figures, how far cattle-wealth has progressed and what is the position today.

In 1940, there were 11,56,00,960 oxen in India and in 1945 only 11,19,00,000 were left. That is to say, during these five years, there was a decrease of 37 lacs in the number of oxen. Similarly the number of buffaloes in 1940 was 3,28,91,300 and in 1945, this figure was reduced to 3,25,44,400. According to these figures, during these five years, their number was reduced by four lacs. Thus during these five years there was decrease of 41 lacs in the sum total of both the above figures taken together.

Besides this, if we see the figures of the slaughtered cattle in India we find that in 1944, 60,91,828 oxen were slaughtered, while in 1945 sixtyfive lacs were slaughtered i.e., four lakhs more. In the same year 7,27,189 buffaloes were slaughtered. I do not want to take much of your time. If you wish to see latest figures then I have got them upto 1945. You can see them. I have got figures for Bombay and Madras. A look at these figures will show that there has been no decrease in their slaughter, rather it is on the increase. Therefore, I want to submit before you that the slaughter of cattle should be banned here. Ours is an agricultural country and the cow is 'Kam-Dhenu' to us - fulfiller of all our wants. From both points of view, of agriculture and food, protection of the cow becomes necessary. Our ancient sages and Rishis, realising her importance, regarded her as very sacred. Here, Lord Krishna was born, who served cows so devotedly that to this day, in affection he is known as "Makhan Chor". I would not relate to you the story of Dalip, how that Raja staked his own life for his cow. But I would like to tell you that even during the Muslim rule, Babar, Humayun, Akbar, Jahangir and even in the reign of Aurangzeb, cow slaughter was not practised in India; not because Muslims regarded it to be bad but because, from the economic point of view, it was unprofitable.

Similarly in every country, in China, cow-slaughter is a crime. It is banned in Afghanistan as well. A year ago, a similar law was passed in Burma, before that, under a certain law, cattle only above fourteen years of age could be slaughtered. But eventually, the Burma Government realised that this partial ban on slaughter was not effective. On the pretext of useless cattle many useful cattle are slaughtered. I have read in newspapers that the Pakistan Government has decided to stop the export of cattle from Western Pakistan, and they too have enforced a partial ban on slaughter of animals. In the present conditions in our country, cow-breeding is necessary, not for milk supply alone, but also for the purposes of draught and transport. It is no wonder that people worship cow in this land. But I do not appeal to you in the name of religion; I ask you to consider it in the light of economic requirements of the country. In this connection I would like to tell you the opinion of the greatest leader of our country - the Father of the Nation - on the subject. You know the ideas of revered Mahatmaji on this topic. He never wanted to put any compulsion on Muslims or non-Hindus. He said, "I hold that the question of cow-slaughter is of great moment - in certain respects of even greater moment - than that of Swaraj. Cow-slaughter and manslaughter are, in my opinion, two sides of the same coin."



Leaving it aside, I want to draw your attention to the speech of our President, Dr. Rajendra Prasad. After this the Government of India, appointed a committee - an expert representative committee-to find out whether for the benefit of the country the number of cattle can be increased, and whether their slaughter can be stopped. The Committee has unanimously decided in its favour. Seth Govind Das was also a member of the committee. The committee unanimously decided that cattle slaughter should be banned. Great minds were associated with the said committee. They examined the question from the economic view-point; they gave thought to the unproductive and unserviceable cattle also. After viewing the problem from all angles they came to the unanimous decision that slaughter of cattle should be stopped. That resolution relates not to cows alone. Slaughtering of buffaloes, which yield 50 per cent of our milk supply, and of the goats which yield 3 per cent of our milk supply, and also bring a profit of several crores, is as sinful as that of cows. In my district of Haryana, a goat yields 3 to 4 seers of milk. Perhaps a cow does not yield that much in other areas. Therefore I submit that we should consider it from an economic point of view. I also want to state that many of the cattle, which are generally regarded as useless, are not really so. Experts have made an estimate of that, and they came to the conclusion that the cattle which are regarded as useless are not really so, because we are in great need of manure. A cow, whether it be a milch-cow or not, is a moving manure factory and so, as far as cow is concerned, there can be no question of its being useless or useful. It can never be useless. In the case of cow there can be no dispute on the point.] (Hearing the bell being rung.) Am I to stop?

Mr. Vice President: Yes, I am asking you to stop.

Pandit Thakur Dass Bhargava: Could you give me two minutes more?

Mr. Vice-President: You have already had 25 minutes.

Pandit Thakur Dass Bhargava: \*[As the Vice-President has ordered me to finish off, I shall not go into the details; otherwise I can prove by figures that the value of the refuse and urine of a cow is greater than the cost of her maintenance. In the end, I would wind up by saying that there might be people, who regard the question of banning cow-slaughter as unimportant, but I would like to remind them that the average age in our country is 23 years, and that many children die under one year of age! The real cause of all this is shortage of milk and deficiency in diet. Its remedy lies in improving the breed of the cow, and by stopping its slaughter. I attach very great importance to this amendment, so much so that if on one side of the scale you were to put this amendment and on the other all these 315 clauses of the draft, I would prefer the former. If this is accepted, the whole country would be, in a way, electrified. Therefore, I request you to accept this amendment unanimously with acclamation.]

**Seth Govind Das:** \*•[Mr. President, the amendment moved by Pandit Thakurdas Bhargava appears to be rather inadequate as a directive in its present form. I therefore move my amendment to his amendment. My amendment runs thus:

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\* [] Translation of Hindustani speech.

"That in amendment No. 1002 of the list of Amendments in article 38-A the words and other useful cattle, specially milch cattle and of child bearing age, young stocks and draught cattle' be deleted and the following be added at the end:

'The word "cow' includes bulls, bullocks, young stock of genus cow'."

The object of the amendment is, I hope, quite clear from its words. The amendment moved by Pandit Bhargava prohibits the slaughter of cow and other useful cattle but according to it unfit or useless cows may be slaughtered. But the object of my amendment is, as far as cows are concerned, to prohibit the slaughter of any cow, be it useful or useless and in my amendment word 'cow' includes bulls, bullocks and calves all that are born of cows. As Pandit Thakur Das told you, I had submitted this earlier to be included in Fundamental Rights but I regret that it could not be so included. The reason given is that Fundamental Rights deal only with human beings and not animals. I had then stated that just as the practice of untouchability was going to be declared an offence so also we should declare the slaughter of cows to be an offence. But it was said that while untouchability directly affected human beings the slaughter of cows affected the life of animals only – and that as the Fundamental Rights were for human beings this provision could not be included therein. Well, I did not protest against that view and thought it proper to include this provision in the Directive Principles. It will not be improper, Sir, if I mention here, that it is not for the first time that I am raising the question of cow protection. I have been a member of the Central Legislature for the last twenty-five years and I have always raised this question in the Assembly and in the Council of State. The protection of cow is a question of long standing in this country. Great importance has been attached to this question from the time of Lord Krishna. I belong to a family, which worships Lord Krishna as "Ishtadev". I consider myself a religious minded person, and have no respect for those people of the present day society whose attitude towards religion and religious minded people is one of contempt. It is my firm belief that Dharma had never been uprooted from the world and nor can it be uprooted. There had been unbelievers like Charvaka in our country also but the creed of Charvaka could never flourish in this country. Now-a-days the Communist leaders of the West also and I may name among them Karl Marx, Lenin, Stalin, declare religion "the opium of the People". Russia recognised neither religion nor God but we have seen that in the last war the Russian people offered prayers to God in Churches to grant them victory. Thus it is plain from the history of ancient times as also from that of God-denying Russia that religion could not be uprooted.

Moreover, cow protection is not only a matter of religion with us; it is also a cultural and economic question. Culture is a gift of History. India is an ancient country; consequently no new culture can be imposed on it. Whosoever, attempts to do so is bound to fail; he can never succeed. Ours is a culture that has gradually developed with our long history. Swaraj will have no meaning for our people in the absence of a culture. Great important cultural issues - for instance the question of the name of the country, question of National Language, question of National Script, question of the National Anthem and question of the prohibition of cow slaughter - are before this Assembly and unless the Constituent Assembly decides these questions according to the wishes of the people of the country, Swarajya will have no meaning to the common people of our country. I would like to submit, Sir, that a referendum betaken

on these issues and the opinion of the people be ascertained. Again, cow protection is also a matter of great economic importance for us. PanditThakur Das Bhargava has shown to you by quoting statistics how the cattle wealth of the country is diminishing. This country is predominantly agricultural in character. I would give some figures here regarding the position of our cattle wealth. In 1935 there were one hundred nineteen million and four hundred ninety one thousand (11,94,91,000) heads of cattle. In 1940 their number came down to one hundred fifteen million and six hundred ten thousand, and in 1945 it further came down to one hundred eleven million and 9 hundred thousand. While on one side our population is increasing our cattle wealth is decreasing. Our Government is carrying on a Grow More Food Campaign. Millions of rupees are being spent on this campaign. This campaign cannot succeed so long as we do not preserve the cows. PanditThakur Das has given us some figures to show the number of cows slaughtered in our country. I would like to quote here some figures from the Hide and Skin Report of the Government of India. Fifty two lakhs of cows and thirteen lakhs of buffaloes are slaughtered every year in this country. It shows in what amazing numbers cattle are slaughtered here. Thirty six crores acres of land are under cultivation here. These figures also includes the land under cultivation in Pakistan. I have to give these figures because we have no figure of the land under cultivation in India since the secession of Pakistan from our country. We have six crores bullocks for the cultivation of the land. A scientific estimate would show that we need another one and a half crore of bullocks to keep this land under proper cultivation.

So far as the question of milk supply is concerned I would like to place before you figures of milk supply of other countries as compared to that of our country.

In New Zealand milk supply per capita is 56 ounces, in Denmark 40, in Finland 63, in Sweden 61, in Australia 45, in Canada 35, in Switzerland 49, in Netherland 35, in Norway 43, in U.S.A. 35, in Czechoslovakia 36, in Belgium 35, in Australia 30, in Germany 35, in France 30, in Poland 22, in Great Britain 39 and in India it is only 7 ounces. Just think what will be the state of health of the people of a country where they get only seven ounces of milk per head. There is a huge infantile mortality in this country. Children are dying like dogs and cats. How can they be saved without milk? Thus even if we look at this problem from the economic point of view, we come to the conclusion that for the supply of milk and agriculture also, the protection of the cow is necessary.

I would like to place before the House one thing more. It has been proved by experience that whatever laws we may frame for the prevention of the slaughter of useful cattle, their object is not achieved. In every province there are such laws. There people slaughter cattle and pay some amount towards fines and sometimes escape even that. Thus our cattle wealth is declining day by day.

Sometime back there was a law like that in Burma but when they saw that cattle could not be saved under it, they banned cow slaughter altogether.

I would like to emphasise one point to my Muslim friends also. I would like to see my country culturally unified even though we may follow different religions. Just as a Hindu and a Sikh or a Hindu and a Jain can live in the same family, in the same way

a Hindu and a Muslim can also live in the same family. The Muslims should come forward to make it clear that their religion does not compulsorily enjoin on them the slaughter of the cow. I have studied a little all the religions. I have read the life of Prophet Mohammad Sahib. The Prophet never took beef in his life. This is an historic fact.

Pandit Thakur Das Bhargava pointed out just now that from the time of Akbar to that of Aurangzeb, there was a ban on cow slaughter. I want to tell you what Babar, the first Moghul Emperor told Humayun. He said: "Refrain from cow-slaughter to win the hearts of the people of Hindustan."

Pandit Thakur Dass Bhargava just now referred to the Committee constituted by the Government of India for this purpose. It recommended that cow slaughter should be totally banned. I admit that the Government will require money for the purpose. I want to assure you that there will be no lack of money for this purpose. If the allowance given to cattle-pounds and Goshalas is realised from the people by law, all the money needed would be realised. Even if the Government want to impose a new tax for this purpose every citizen of this country will be too glad to pay it. Therefore our Government should not raise before us the financial bogey so often raised by the British Government. I have traveled a little in this country and I am acquainted with the views of the people.]

Sir, I wish to say a few words in English to my South Indian friends.

**Mr. Vice-President:** I am afraid that if I give you that permission, other speakers will not have sufficient time to speak. You asked for ten minutes and I have given you fifteen minutes plus four. If you insist on more time I am prepared to give it but you could have addressed them in English.

**Mr. Shibbanlal Saksena - Amendment No. 87 of List 4.**

**Shri R. V. Dhulekar (United Provinces: General):** Sir, I have sent a little request for permission to speak.

**Mr. Vice-President:** If honourable members will kindly take their seats, I shall be able to say something. We have adopted a certain procedure. The amendments have to be moved one after another. Mr. Shibbanlal Saksena.

**Prof. Shibban Lal Saksena:** Sir, I had given notice of an amendment in which I desired that cow slaughter should be banned completely. But after the agreement arrived at about Pt. Thakur Dass Bhargava's amendment, I waive my right to move my amendment.

**An Honourable Member:** But what is the amendment?

**Prof. Shibban Lal Saksena:** It is No. 87 in list IV, but I am not moving it.

**Mr. Vice-President:** In that case you cannot speak.

**Prof. Shibban Lal Saksena:** But there is no other amendment. I may speak on the clause now.

**Pandit Balkrishna Sharma** (United Provinces: General): Sir, may we know where we stand? Is the Honourable Member moving his amendment or is he taking part in the general discussion of the clause?

**Prof. Shibban Lal Saksena:** I am speaking generally on the clause.

**Mr. Vice-President:** In that case, you must wait till Shri Ram Sahai moves his amendment also, No. 88, list IV.

**Shri Algu Rai Shastri** (United Provinces: General): On a point of order. Professor Saksena has copied out the whole of Pt. Thakur Das's amendment and added only one or two words. In such cases only those new words should be taken as his amendment, and the whole of the amendment should not be owned by him.

**Mr. Vice-President:** But he has said he will be taking part in the general discussion only. Now, Shri Ram Sahai.

**Shri Ram Sahai** (United State of Gwalior-Indore-Malwa:Madhya Bharat): \*[Mr. Vice-President. In regard to this matter I have already tabled an amendment seeking to add these words in article 9 of Part III "The State shall ban the slaughter of cows by law". But for the very reasons that led Mr. Bhargava not to move his amendment, I have also now decided not to move mine. Still there is another amendment in my name in Part IV of the Draft Constitution.

My only object in tabling this amendment was to secure complete prohibition of the slaughter of cows. But I find here that a section of the House does not like this. I also do not like, on my part, to make any proposal that may not receive the unanimous acceptance of the House, nor a proposal, which may lead to the curtailment of the freedom of the provinces in this matter. Under the Directive Principles of State Policy, Provinces will have the power to stop cow slaughter totally or partially. Though there is a ban in one form or another on the slaughter of cows, in almost all countries of the world, yet I would not emphasise that fact before you.

I hope Honourable Dr. Ambedkar will appreciate and accept the amendment moved by Mr. Bhargava because it is on the basis of the assurance to this effect given by him that the amendment has been moved as a compromise. In view of that assurance I am not moving my amendment.]

**Mr. Vice-President:** There is another amendment, which I had overlooked. It is No. 1005, standing in the name of Shri Ranbir Singh Chaudhari.

**Chaudhari Ranbir Singh** (East Punjab: General): Sir, I do not propose to move that amendment. But I would like to speak on the general clause.

**Mr. Vice-President:** All right. Professor Saksena.

**Prof. Shibban Lal Saksena:** Sir, there are two aspects to this question. One is the religious aspect and the other is the economic aspect. I shall first deal with the religious aspect. I am not one of those men who think that merely because a thing has a religious aspect, it should not be enacted as law. I personally feel that cow

protection, if it has become a part of the religion of the Hindus, it is because of its economic and other aspects, I believe that the Hindu religion is based mostly on the principles which have been found useful to the people of this country in the course of centuries. Therefore, if thirty crores of our population feel that this thing should be incorporated in the laws of the country, I do not think that we as an Assembly representing 35 crores should leave it out merely because it has a religious aspect. I agree with Seth Govind Das that we should not think that because a thing has a religious significance, so it is bad. I say, religion itself sanctifies what is economically good. I wish to show how important cattle preservation is for us. Mahatma Gandhi in fact, has written in so many of his articles about his belief that cow protection was most essential for our country. From the scientific point of view, I wish to point out that Dr. Wright who is an expert on the subject in his report on our National Income says that out of 22 crores of national income per annum, about eleven crores are derived from the cattle wealth of India, representing the wealth of most of our people who live in the villages.

Sometimes it is supposed that we have too many cattle and that most of them are useless, and therefore, they must be slaughtered. This is a wrong impression. If you compare the figures, you will find that in India there are only 50 cattle per 100 of the population, whereas in Denmark it is 74, in U.S.A. 71, in Canada 80, in Cape Colony 120 and in New Zealand 150. So in New Zealand, there are about three times the number of cattle per head of population than we have here. So, to say that we have too many cattle is not right. As for useless cattle, scientists say that their excreta has value as manure and its cost is more than the expenditure on the upkeep of such cattle.

Then again, our agriculture depends mostly on cattle, as it is mostly of small holdings where the cultivators cannot make use of tractors and other implements. They depend on bullocks, and if you compare the figures of bullocks, you will find that although we have got an area of 33 1/2 million acres of land to cultivate, we have only six crores of bullocks which works at about 16 bullocks per 100 acres of land which is quite insufficient. Therefore, even from the point of view of our agricultural economy, we need a very large number of bullocks. It has been estimated that to meet our requirements, we would require about eleven crores more bullocks.

Then, coming to our requirements of milk and other products, if we compare our milk consumption with that of other countries, we find that it is only 5 oz. per head, and that is very little, compared to the figures of other countries. Therefore I think that we must have this amendment incorporated in our Constitution.

The other important evils in our country are infant mortality and tuberculosis which have their origin in deficient milk diet. These evils can be remedied only if we preserve our cattle and improve their breed, which is the purpose of this amendment. I therefore think that this amendment should be accepted.

Then there is the use of Vanaspati ghee, which has become an economic necessity, because there is no pure ghee available anywhere. If we are able to give effect to this amendment we can improve the breed of cattle and then we will be able to do away with the use of Vanaspati, which is so injurious to the health of the nation.

Also from the point of view of the requirements of our climate this amendment is very necessary. I think the amendment is very well worded. It says that we shall try to "organise agriculture and animal husbandry on modern and scientific lines and in particular take steps to preserve, protect, and improve the useful breeds of cattle and ban the slaughter of cow and other useful cattle, especially milch cattle and of child-bearing age, young stocks and draught cattle". I think the amendment of Seth Govind Das is included in it. I am sure, representatives of people elected on adult suffrage will surely incorporate in their state laws legislation, which will give effect to this amendment and we shall then have in our land no cow slaughter. I therefore support this amendment wholeheartedly.

**Dr. Raghu Vira** (C.P. and Berar: General): Sir, I think it my most bounden duty in this House to express the feelings, feelings which no words can really convey, that not a single cow shall be slaughtered in this land.

These sentiments, which were expressed thousands of years ago, still ring in the hearts of tens of millions of this land. My friends tell me that it is an economic question, that Muslim kings have supported the preservation of cows and banned the killing of the cows. That is all right. But when we attain freedom, freedom to express ourselves in every form and manner - our Preamble says 'There shall be liberty of expression' - is that merely expression of thought or is that the expression of our whole being? This country evolved a civilization and in that civilization we gave prominent place to what we call Ahimsa or non-killing and non-injury, not merely of human beings but also of the animal kingdom. The entire universe was treated as one and the cow is the symbol of that oneness of life and are we not going to maintain it? Brahma hatya and go-hatya - the killing of the learned man, the scientist, the philosopher or the sage and the killing of a cow are on a par. If we do not allow the killing of a scientist or a sage in this land it shall certainly be ordained by this House that no cow shall be killed. I know in my childhood we were not allowed to drink until the cow has had its drink and we were not allowed to eat till the cow has had its meal. The cow takes precedence over the children of the family, because she is the mother of the individual, she is the mother of the nation. Ladies and gentlemen in this House, I appeal to you to look back with serenity and to search your souls. We are representatives of millions of our people.....

**Mr. Vice-President:** The Honourable Member must address the Chair. This is not a public platform.

**Dr. Raghu Vira:** Through you, Sir, I wish to convey the feeling of this House and other people of this country that the cow shall be saved in the interests of the country and in the interests of our culture. And with these words, Sir, I take your leave.

**Shri R. V. Dhulekar:** Sir, I always believed from my childhood that India had a mission and because India had a mission therefore I wanted the independence of this country. Many millions of the people, who died for this country, also like me had believed that India had a mission, and what was that mission? The mission was that we should go about the world and carry the message of peace, love, freedom and Abhaya (freedom from fear) to every body in the world. When independence was achieved I was happy to believe that I shall carry out my mission, that I shall carry

to the world this message, viz., that India has got no grudge against any country in the world, it has no expansionist ideas but that it is going to save the whole world from the danger of internecine war, bloodshed and many other ills that humanity is suffering from. In the same way and for the same purpose I appeal to the House to discuss this subject from a dispassionate point of view. It is not the crumbs, the loaves and fishes that we are fighting for. Loaves and fishes were left behind by some people thirty years back and by some others fifty years back. We did not want to achieve this independence for loaves and fishes. Those who want the mere welcome but men like us who have a mission or a message for the world cannot love loaves and fishes. We do not want ambassadorship, premierships, ministerships or wealth. We want that India should declare today that the whole human world as well as the whole animal world is free today and will be protected. The cow is a representative of the animal kingdom, the peepal tree is the representative of the vegetable kingdom, the touchstone or the shaligram is the representative of the mineral world. We want to save and give peace and protection to all those four worlds and therefore it is that the Hindus of India have put these four things as representatives of this world - the human being, the cow, the peepal and the shaligram. All these were worshipped because we wanted to protect the whole humanity. Our Upanishad says:

We do not want this property, we do not want this food; we do not want this raiment - not because we cannot take it; not because we are cowards; not because we cannot carry Imperialism to the four corners of the world; but we may not have it because we see the whole world identical with our own soul.

So our humanity, which resides in this Bharatvarsha for several thousand years has marched forward and has taken the cow within the fold of human society. Some people here talked to me and said "You say that you want to protect the cow and want it to be included in the Fundamental Rights. Is the protection of the cow a fundamental right of a human being? Or is it the fundamental right of the cow?" I replied to them and tell them suppose it is a question of saving your mother or protecting your mother. Whose fundamental right is it? Is it the fundamental right of the mother? No. It is my fundamental right to protect my mother, to protect my wife, my children and my country. In the Fundamental Rights you have said that you will give justice, equity and all these things. Why? Because you say "it is your fundamental right to have justice". What does that justice mean? It means that we shall be protected, our families shall be protected. And our Hindu society, or our Indian society, has included the cow in our fold. It is just like our mother. In fact it is more than our mother. I can declare from this platform that there are thousands of persons who will not run at a man to kill that man for their mother or wife or children, but they will run at a man if that man does not want to protect the cow or wants to kill her.

With these few words, I wish to say that these two amendments, which have been put forward by Mr. Bhargava and Seth Govind Das should be dealt with dispassionately. I shall appeal to you that only that amendment should be passed which is very clear. If Mr. Bhargava's amendment is doubtful, then certainly Seth Govind Das's amendment should be passed.



**Mr. Vice-President:** Following my usual practice I must give an opportunity to people who hold different views from the majority view and I am therefore calling upon Mr. Lari to speak.

**Mr. Z. H. Lari (United Provinces: Muslim):** Mr. Vice-President, I appreciate the sentiments of those who want protection of the cow - may be on religious grounds or maybe in the interests of agriculture in this country. I have come here not to oppose or support any of the amendments but to request the House to make the position quite clear and not to leave the matter in any ambiguity or doubt. The House, at the same time, must appreciate that Mussalmans of India have been, and are, under the impression that they can, without violence to the principles, which govern the State, sacrifice cows and other animals on the occasion of Bakrid. It is for the majority to decide one way or the other. We are not here to obstruct the attitude that the majority community is going to adopt. But let there not linger an idea in the mind of the Muslim public that they can do one thing, though in fact they are not expected to do that. The result has been, as I know in my own Province on the occasion of the last Bakrid, so many orders under Section 144 in various places, districts and cities. The consequence has been the arrests of many, molestation of even more, and imprisonment of some. Therefore, if the House is of the opinion that slaughter of cows should be prohibited, let it be prohibited in clear, definite and unambiguous words. I do not want that there should be a show that you could have this thing although the intention may be otherwise. My own submission to this House is that it is better to come forward and incorporate a clause in Fundamental Rights that cow slaughter is henceforth prohibited, rather than it being left vague in the Directive Principles, leaving it open to Provincial Governments to adopt it one way or the other, and even without adopting definite legislation to resort to emergency powers under the Criminal Procedure. In the interests of good-will in the country and of cordial relations between the different communities I submit that this is the proper occasion when the majority should express itself clearly and definitely.

I for one can say that this is a matter on which we will not stand in the way of the majority if the majority wants to proceed in a certain way, what ever may be our inclinations. We feel - we know that our religion does not necessarily say that you must sacrifice cow: it permits it. The question is whether, considering the sentiments that you have, considering the regard which the majority have for certain classes of animals, do they or do they not permit the minority - not a right - but a privilege or a permission which it at present has? I cannot put it higher. I won't class it as interference with my religion. But I do not want that my liberty should be taken away, and especially the peaceful celebration of any festival should be marred by the promulgation of orders under Section 144. I have come only to plead that. Therefore, let the leaders of the majority community here and now make it clear and not leave it to the back-benchers to come forward and deliver sermons one way or the other. Let those who guide the destinies of the country, make or mar them, say definitely "this is our view", and we will submit to it. We are not going to violate it. This is the only thing I have come to say. I hope you will not misunderstand me when I say this. It is not due to anger, malice or resentment but it is out of regard for cordial relations between the communities, and what is more, due to the necessity of having a clear mind that I say this. Henceforward the Muslim minority must know where they stand so that they may act accordingly, and there be no occasion for any misunderstanding between the majority and the Muslims on this point.

In view of what I have said, I would not oppose nor support any of the amendments, but I would invite a very clear and definite rule instead of the vague phraseology of the clauses which have been put forward. It proceeds to say that we should have modern and scientific agriculture. Modern and scientific agriculture will mean mechanisation and so many other things. The preceding portion of the clause speaking about modern and scientific agriculture and the subsequent portion banning slaughter of cattle do not fit in with each other. I appreciate the sentiments of another member who said "this is our sentiment, and it is out of that sentiment that we want this article". Let that article be there, but for God's sake, postpone the discussion of the article and bring it in clear, definite and unambiguous terms so that we may know where we stand and thereafter there should be no occasion for any misunderstanding between the two communities on this issue which does not affect religion but affects practices which obtain in the country.

**Syed Muhammad Sa'adulla** (Assam: Muslim): Mr. Vice-President, Sir, the subject of debate before the House now has two fronts, the religious front and the economic front. Some who want to have a section in our Constitution that cow killing should be stopped for all time probably base it on the religious front. I have every sympathy and appreciation for their feelings; for, I am student of comparative religions. I know that the vast majority of the Hindu nation revere the cow as their goddess and therefore they cannot brook the idea of seeing it slaughtered. I am a Muslim as everyone knows. In my religious book, the Holy Quran, there is an injunction to the Muslims saying -

"La Ikraha fid Din", or, there ought to be no compulsion in the name of religion. I therefore do not like to use my veto when my Hindu brethren want to place this matter in our Constitution from the religious point of view. I do not also want to obstruct the framers of our Constitution, I mean the Constituent Assembly if they come out in the open and say directly: "This is part of our religion. The cow should be protected from slaughter and therefore we want its provision either in the Fundamental Rights or in the Directive Principles."

नमो भगवते वासुदेवाय

But, those who put it on the economic front, as the honourable Member who spoke before me said, do create a suspicion in the minds of many that the ingrained Hindu feeling against cow slaughter is being satisfied by the backdoor. If you put it on the economic front, I will place before you certain facts and figures which will show that the slaughter of cows is not as bad as it is sought to be made out from the economic point of view. I have very vast and varied experience of the province of Assam and therefore I will quote you figures from Assam only. In the year 1931, under the orders of the then Central Government a census of the cattle wealth of the province was undertaken. We found that in 1931, Assam had 70 lakhs of cattle as against a human population of 90 lakhs. It will stagger my friends from the other parts of India when I place before them the fact that the average yield of an Assam cow is but a quarter seer of milk daily and that it is so puny in stature that its draught power is practically nil. Assam is dependent for her draught cattle on the province of Bihar. During the last war, when there was tremendous difficulty as regards transport, we could not get any cattle from Bihar, with the result that we were compelled to use our own small cattle for the purpose of ploughing. In order to conserve this cattle, the Government of Assam passed a law prohibiting the slaughter of cattle in milch or cattle which could be used for the purpose of draught. But, wonder of wonders, I personally found

that droves of cattle were being taken to the military depots for being slaughtered not by Muslims, but by Hindus who had big "sikhas" on their heads. When I saw this during my tours I asked those persons why, in spite of their religion and in spite of Government orders, they were taking the cattle to be slaughtered. They said: "Sir, these are all unserviceable cattle. They are all dead-weight on our economy. We want to get ready cash in exchange for them".

My friend Seth Govind Das mentioned the case of cattle that were killed. I questioned him privately. The figures in the Hides and Skins Report are from the hides. I know there is a community amongst Hindus themselves who go by the name of 'Rishi' in our part of the country whose sole occupation in life is to take away the skin from dead cattle. They have got absolutely no objection even to flay the skin of slaughtered cattle. The figures given by Seth Govind Dasi include the numbers of both the dead and slaughtered cattle. Similarly the figures given by Pandit Bhargava are not the figures of cattle slaughtered during normal times. They were, as Honourable Members know, war years and, on account of the fact that the Japanese had invaded India through Assam, Assam alone had to accommodate about 5 lakhs of fighting men and an equal number of camp followers. Cattle from all parts of India were then taken to Assam to feed these ten lakhs of people from America and elsewhere, whites as well as blacks. Even the Chinese soldiers were there in Assam, not to speak of soldiers from every part of India. Therefore, those were abnormal years and you cannot base your arguments on the figures of the years 1945 and 1946.

**Pandit Thakur Dass Bhargava:** But, during those years, there was a ban on the slaughter of cattle imposed by the Government of India. They had issued orders banning the slaughter of cattle. It is in spite of that that the figures of slaughter have been so high.

**Syed Muhammad Saiadulla:** I do not want to be side-tracked. The point is that there are cattle and cattle. We were trying to get cattle from West Punjab just before Partition. The cattle there on an average give half a maund of milk. The Assam Government have been trying to improve the milk yield of their cattle by introducing cattle from England, Australia and the Punjab. We have yet touched only the fringe of the problem with our Government cattle farms and we have succeeded only in Shillong. The milk yield there has increased but in the plains the milk yield is only quarter seer daily.

The motion of Pandit Bhargava is that, in order to improve the economic condition of the people, we should try scientific measures. That presupposes that the useless cattle should be done away with and better breeds introduced.

Now, I ask you what is to be done with these seventy lakhs of cattle that we have got in Assam? Therefore, Sir, if you place it on the economic front, you are met with this proposition that we have got such a big number of uneconomic cattle that must be done away with before you can supplant them with a better breed. Another point is.....

**Pandit Thakur Dass Bhargava:** Does not the honourable Member know that many useless cattle have been turned into good cattle by goshalas and other organisations and at least 90 per cent can be salvaged by proper feeding and treatment.

**Syed Muhammad Saiadulla:** Sir, I do not know of goshalas in other parts and I do not want to reply to Pandit Bhargava. I have only ten minutes to speak. I was telling the House that there is a lurking suspicion in the minds of many that it is the Muslim people who are responsible for this slaughter of cows. That is absolutely wrong.

**Pandit Thakur Dass Bhargava:** Quite wrong.

**Syed Muhammad Saiadulla:** I am glad that the Mover of this amendment says that it is quite wrong. There are lakhs of Muslims who do not eat cow's flesh. I am not speaking in any sense of braggadocio when I say that I myself do not take it. Before the partition the Muslims were only one-fourth of the total population. They did not raise sufficient cattle to kill. It is the majority people who sold their cattle to the Muslims to be killed. Now the Muslims form only one-tenth of the population of the Dominion of India. Do you think that the Mussalmans can raise sufficient cattle to slaughter them? Muslims are poorer than our Hindu brethren. The Muslims are as much agriculturists as the Hindus and the cattle in their farms form their capital asset, the natural source of their power to till the land and produce the food which will maintain them for the entire year. Therefore it is wrong to say that the Muslims kill the cows either to offend my Hindu friends or for any other purpose. Fortunately or unfortunately the Muslims are a meat-eating people. The price of mutton is so high that many poor people cannot buy it. Therefore on rare occasions they have to use the flesh of the cow. From my own knowledge, it is only the barren cows that go to the butcher. Speaking for Assam, it is the hill people who are the worst culprits in this respect. In the town of Shillong, there is only one Muslim butcher against seventy from the hill people, who deal in beef. Sir, in these circumstances, in the name of the economic front, I cannot lend my support to the motion moved by Pandit Bhargava. I am sorry that for the reasons given already, I am compelled to oppose the amendment of Seth Govind Das.

**The Honourable Dr. B. R. Ambedkar:** I accept the amendment of Pandit Thakur Dass Bhargava.

**Mr. Vice-President:** I shall now put the amendments one by one to the vote. The amendment of Pandit Thakur Dass Bhargava. That is No. 72 in List II.

**Seth Govind Das:** What about my amendment, which has been moved as an amendment to Pandit Bhargava's amendment? That should be put to the vote first.

**Mr. Vice-President:** You moved your amendment as an amendment to No. 1002, which was not moved.

**Pandit Thakur Dass Bhargava:** I substituted No. 72 for No. 1002.

**Seth Govind Das:** My amendment is an amendment to the amendment which Pandit Bhargava just moved.

**Mr. Vice-President:** All right. I am willing to put your amendment to the vote. Now, the amendment of Seth Govind Das, i.e., 73 in List No. II, is now put to the vote.

The question is:

"That in amendment No. 1002 of the List of Amendments, in article 38-A, the words and other useful cattle, specially milch cattle and of child bearing age, young stocks and draught cattle' be deleted and the following be added at the end: -

"The word 'Cow' includes bulls, bullocks, young stock of genus cow."

The amendment was negatived.

**Mr. Vice-President:** Now amendment No. 72 in List II by Pandit Thakur Dass Bhargava is put to the vote.

The question is:

"That in amendment No. 1002 of the List of Amendments, for article 38-A, the following be substituted: -

'38-A. The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall in particular take steps for preserving and improving the breeds of cattle and prohibit the slaughter of cow and other useful cattle specially milch and draught cattle and their young stocks.'"

The motion was adopted.

**Mr. Vice-President:** Article 38-A will consist of the amendment of Pandit Thakur Dass Bhargava. The question before the House is:

"That article 38-A in the form just mentioned form part of the Constitution."

The motion was adopted.

Article 38-A, as amended, was added to the Constitution.

# ANNEX I (4)

Paragraph 63

कारिगियों को

## गांधीजी की चेतावनी

प्रार्थना प्रवचन

पटना

२२ मई १९४७

“स्वतन्त्रता का जो समूल्य रूप हमारे हृदय में छा रहा है, उसे हम खो बैठे हैं। स्वराज्य लेने का पाठ तो हमें मिला, परन्तु उसे टिकाये रखने का पाठ हमें नहीं मिला।

हमारी राज्यसत्ता कांग्रेसों की तरह बन्दूकों के जोर से नहीं निभ सकती। अनेक प्रकार के त्याग और समझौते के द्वारा कांग्रेस ने जनता का विश्वास सम्पादन किया है। परन्तु यदि आज कांग्रेस माने जनता को भोसा देगा याद सदा करने के बजाय उसके मासिक वन कायों तथा नास्तिक की तरह व्यवहार करेगा, तो मैं शायद जोड़ें या न बीड़ें, परन्तु इतने वर्षों के अनुभव के आधार पर यह चेतावनी देने की हिम्मत करता हूँ कि देश में बलवा मच जायगा, तब तो सभी माली की लाग चुन-डुन कर मारे और कोई सीसरी सुता तसका काम चला लेगी।”

(विहार की कौमी भाषा में)

रघुपति	राघव	राजा	राम
पावध	बन्ध	करा	भयवान
सदको	सम्मति	से	समवान
जिह	ह	बन	माय का जान

प्राशन

## J.P. Asks Indira To Ban Gohatya

“I cannot understand why in a Hindu-majority country like India, where rightly or wrongly there is such strong feeling about cow-slaughter, there cannot be a legal ban,” writes Shri Jaya Prakash Narayan in a letter to the Prime Minister.

Here is the text of the letter :

Patna

Dear Indiraji,

Sept. 21, 1966

I am writing to draw your attention to a very serious situation that seems to be developing. You know of the long-standing agitation for banning cow-slaughter. In the last session of the Parliament also this issue had figured. I understand that Hindu religious leaders of top status, such as some of the Jagadgurus Sankaracharyas, have decided to go on fasts unto death from November 20 this year. I have been given to understand that this desperate step is being contemplated in all seriousness. You can imagine what serious consequences might follow.

It has been a common experience of the past few years that Government does not act until it is too late. Issues are not thought through and every preparation made, to face consequences of decisions taken. The result is that Government is often forced to do things against its will under pressures of unhealthy type, thus lowering the Government in the eyes of the people.

I would, therefore, very strongly advise you to ask the Home Ministry to investigate this matter thoroughly, if necessary to meet the Sankaracharyas and other religious leaders involved, and make an objective assessment so that an intelligent decision could be taken by you. There is not enough time if this matter is treated with negligence a most explosive situation might have to be faced.

For myself, I cannot understand why in a Hindu majority country like India, where rightly or wrongly there is such strong feeling about cow-slaughter, there cannot be a legal ban. “In all the Muslim countries, even those who are considered to be most modern. I doubt if pork would be allowed to be sold or served in public places. I think the same would be true for Israel. Like-wise, in some Christian countries on certain days of the year no meat is eaten or sold.”

From a purely rational point of view, all this may be considered to be irrational, but human life, as you know, is far more irrational than rational. I am enclosing for your information certain leaflets which have been supplied to me by the local leaders of the movement. I particularly draw your attention to one paragraph in one of the Hindi leaflets entitled.

### PUJYA MAHATMAON KA AMARAN ANSHAN

I am taking the liberty of sending a copy of this letter to Gandaji in order that the matter might receive expeditious attention.

Your sincerely,

Sd/-

Smt. Indira Gandhi,  
Prime Minister of India,  
New Delhi.

(Jaya Prakash Narayan)

दिसम्बर १९६६

## **ANNEX I (5)**

Paragraph 70

### **Extract from the Second Plan Document**

4. Famines and epidemics having been largely brought under control, there is a tendency for the number of surplus cattle to increase even in the ordinary course and this trend will become more marked owing to action taken in recent years to place a total ban on the slaughter of cattle. Proposals for bans on the slaughter of cattle derive from a widely prevalent sentiment, which has found expression in the Constitution and must inevitably also enter into national planning. Article 48 of the Constitution prescribes that the States shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter of cows and calves and other milch and draught cattle. But in giving effect to this Directive Principle care has to be taken to see that conditions are not created which may defeat the very objective, which the Constitution seeks to achieve.

5. An expert committee on the prevention of Slaughter of cattle was appointed by the Government of India in 1954 to suggest measures to arrest the deterioration of cattle. The committee came to the conclusion that the present fodder and other resources of the country are grossly inadequate even for maintaining the existing cattle population. A complete ban on the slaughter of all cattle would tend to increase their number further and to jeopardise the well-being of the limited number of good cattle, which the country possesses. It might also result in rapid increase in the numbers of wild cattle. The committee estimated that if slaughter of cattle were totally banned, the cattle population would increase at the rate of nearly six per cent per annum. Such trends were noted in 1953 in Uttar Pradesh by the Gosamvardhan Enquiry Committee, which estimated that fodder and cattle feeding resources available in the State were sufficient only for about 58 per cent of the cattle population and that stray and wild animals were already causing damage to crops in several districts.

6. At the beginning of the first Five-year plan it was felt that Gosadans might offer a possible solution of the problem. Accordingly, the plan provided for the establishment in the first phase of 160 gosadans to serve a cattle population of 320,000. The scheme did not make satisfactory progress. Altogether, about 22 gosadans for 8,000 cattle have been established and many of these have found it difficult to secure the areas of land needed for their operations. During the second plan it is proposed to set up 60 gosadans for about 30,000 cattle. It is obvious that even if it were a question only of establishing gosadans for the care of unserviceable and unproductive cattle, it would be impossible to establish enough of them. The conclusion, therefore, is that in defining the scope of bans on the slaughter of

cattle, States should take a realistic view of the fodder resources available and the extent to which they can get the cooperation of voluntary organisations to bear the main responsibility for maintaining un-serviceable and' unproductive cattle with a measure of assistance from the Government and general support.

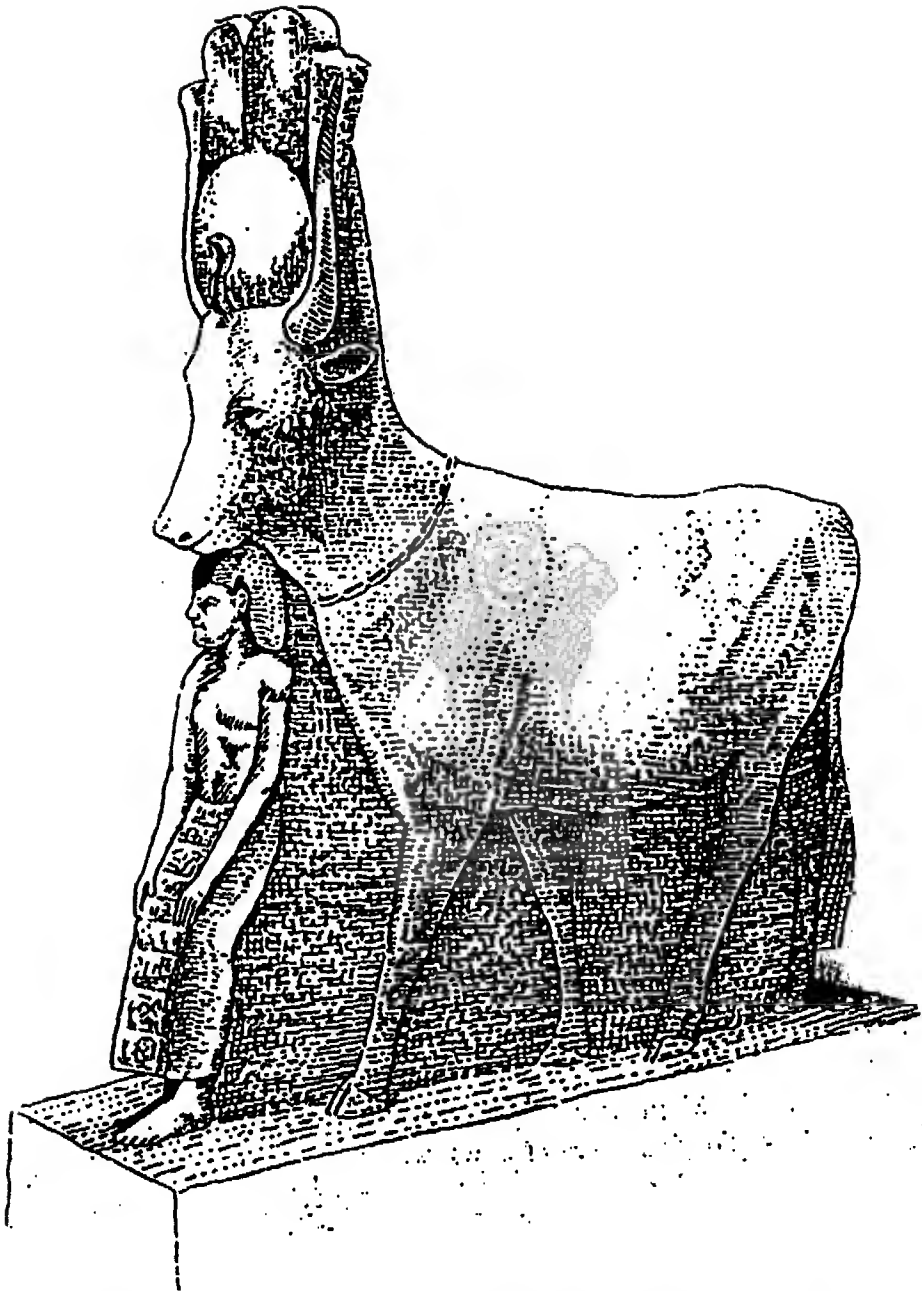
7. During the second five year plan, it is proposed to select 350 goshalas, out of a total number of 3,000, as centres 10 be developed for livestock improvement. These goshalas will send their unserviceable and unproductive cattle to the nearest gosadans. Each gosadan will have facilities for the better utilisation of hides, bones and other products. The proper utilisation of the products of dead animals has considerable economic significance and the All-India Khadi and Village Industries Board has a number of programmes in this field. Each Goshala will be provided by Government with a certain number of animals of improved breed and will be required to secure an equal number from its own resources. Financial assistance will also be given. About Rs. 1 crore have been provided for the scheme.





## ANNEX I (6)

Paragraph 94



***Fig. 4. The Egyptian Cow-Goddess, Hathor (after Larousse).***

## ANNEX I (7)

Paragraph 108

Bill No. 82 of 1990

### THE CONSTITUTION (AMENDMENT) BILL, 1990

By

SHRI GUMAN MAL LODHA, M.P.

A

### BILL

*further to amend the Constitution of India.*

Be it enacted by Parliament in the Forty-first Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1990.

Short  
title.

2. In article 48 of the Constitution, for the words "and prohibiting the slaughter, of cows and calves", the words "and prohibiting the slaughter, of cow and its progeny" shall be substituted.

Amend-  
ment of  
article  
48.

3. In the Seventh Schedule to the Constitution,—

Amend-  
ment of  
Seventh  
Schedule.

(i) In List II—State List, for entry 15, the following entry shall be substituted, namely:—

10        "15. Preservation, protection and improvement of stock and prevention of animal diseases subject to the provisions of entry 17 of List III; veterinary training and practice."; and

(ii) In List III—Concurrent List, for entry 17, the following entry shall be substituted, namely:—

15        "17. Prohibition of slaughter of cow and its progeny; prevention of cruelty to animals including sacrifice of animals for religious purposes."

## STATEMENT OF OBJECTS AND REASONS

Although article 48 of the Constitution provides for prohibition of slaughter of cows and calves and other milch and draught cattle, the States of West Bengal and Kerala have not yet introduced prohibition of cow slaughter. Moreover, article 48 provides for prohibition of cow slaughter and not for the progeny of cow.

In the absence of an entry providing for prohibition of slaughter of cow and its progeny in List III—Concurrent List of the Seventh Schedule to the Constitution, the Parliament cannot enact a law for the prohibition of cow slaughter. The Supreme Court in the past has taken the view that though a ban on cow slaughter is constitutional yet slaughter of other animals like bullock, ~~and~~ buffaloes, etc. can be allowed if such animals are not economically viable.

The people of India, both for economic and religious reasons, have always demanded complete ban on slaughter of cow and its progeny and other milch animals but it has not been accepted so far.

Hence this Bill.

NEW DELHI;  
April 11, 1990.



GUMAN MAL LODHA

## ANNEX I (8)

Paragraph 108

नियम 170 के अधीन सूचना

नई दिल्ली

दिनांक ..... 24-4-90 .....

सेवा में

महासचिव,  
लोक सभा,  
नई दिल्ली।

महोदय,

आपके पत्र के सन्दर्भ में जिसमें आपने सूचित किया है कि गैर-सरकारी सदस्यों के संकल्पों के लिये उसमें उल्लिखित तारीख के बैलट में मेरा नाम आ गया है, मैं एतद्वारा निम्नलिखित संकल्प की सूचना देता हूँ -

(संकल्प का पाठ)

सदन को संश्लेषित में सम्पूर्ण भारत में पूर्ण गौरीश को हत्या को प्रतिबिम्बित कराने हेतु संविधानसभा कार्यवाही को जानी आवश्यक है। अतः इन हेतु केन्द्रीय कानून बनाया जाए। यदि आवश्यकता हो तो संविधान में उचित संशोधन भी किया जाए।

भवदीय

**COW SLAUGHTER BAN****Govt escapes defeat in LS**

The Times of India News service

NEW DELHI, August 17.

THE National Front government narrowly escaped defeat in the Lok Sabha today when a private member's resolution it had opposed was almost carried until the physical count of members reversed the verdict.

The minority government faced a precarious situation when one of the supporting parties — BJP — chose to desert it in the House today. An ally of the government, the BJP, in its anxiety to force the adoption of a resolution relating to a ban on cow slaughter, brought the government embarrassingly close to suffering a loss of face.

The crucial moment, when the fate of the National Front government appeared to hang in balance, passed with the House rejecting the resolution by 50 votes to 42 after the electronic machines had earlier indicated 37 votes in favour of the resolution and 35 against it with five abstentions. The Left parties virtually bailed the government out today by opposing the resolution.

**PRIVATE MEMBERS BILL:** The suspenseful drama took place in the post-lunch session during the consideration of private members' business when attendance is usually thin. The resolution under discussion was moved by Mr Ghuman Mal Lodha of the BJP and strongly supported by the party president, Mr L. K. Advani. Predictably, the Congress members on opposition benches, anxious to add to the discomfiture of the ruling party, supported the resolution.

The minister of state for agriculture, Mr Nitish Kumar,

while appreciating the sentiments of members in supporting the demand for a ban on cow slaughter, opposed the resolution on the ground that its acceptance by the government would create serious problems. He said considering the fact that beef was the staple diet in certain tribal and other areas of the country, the government would not like to commit itself to any particular policy. However, the issue would be debated and discussed in view of the strong sentiments expressed in the House.

**ADVANI'S INSISTENCE:** The situation became piquant when the BJP president, Mr Advani, insisted that adoption of the resolution would not commit the government to any course of action or policy. It would merely imply that majority of members in the House wanted a ban on cow slaughter and the government could later, keeping in

view all the implications of such a move, bring forth appropriate legislation, he said.

Following the refusal of Mr Lodha to withdraw his resolution, the deputy speaker, Mr Shivraj Patil, put it to vote. Since voice verdict was not clear, a member raised the demand for a division. The electronic machines declared 37 votes in its favour and 35 against. As the margin was narrow, the deputy speaker instead of relying on the machines' verdict ordered physical count.

While the physical counting of heads was in progress, the CPM leader, Mr Somnath Chatterjee, fearing defeat for the government vainly pleaded with the BJP president not to press the resolution. Even the minister, Mr Nitish Kumar, urged the BJP leaders not to cause embarrassment to the government. But, the Congress leader,

# ANNEX I (10)

Paragraph 111

## LIST OF MEMBERS SUBMITTED FOR SLAUGHTER PROHIBITION BILL

		Div.No.	Part	
(Bihar)	1. Shri Surya Narain Yadav	72	JD	(Saharsa)
(U.P.)	2. Shri Ganga Charan Lodhi	77	JD	(Hamirpur)
(New Delhi)	3. Shri L.K. Advani	97	BJP	(New Delhi)
(New Delhi)	4. Shri Madan Lal Khurana	100	BJP	(New Delhi)
(Rajasthan)	5. Shri Jaswant Singh	104	BJP	(Jodhpur)
(Rajasthan)	6. Shri Guman Mal Lodha	105	JP Slip	(Pali)
(Rajasthan)	7. Shri Gulab Chand Kataria	109	JP	(Udaipur)
(Gujarat)	8. Shri Dr. A.M. Patel	110	BJP	(Mehsena)
(U.P.)	9. Shri Rajendra Agnihotri	115	JP Slip	(Jhansi)
(U.P.)	10. Shri Kulvendra Datt	116	BJP	(Jaunpur)
(Bihar)	11. Shri R.L.P. Verma	126	BJP	(Koderma)
(Bihar)	12. Shri Radha Mohan Singh	134	BJP	(Motihari)
(M.P.)	13. Shri Raghavji	146	BJP	(Vidisha)
(Rajasthan)	14. Shri Hemendra Singh Anera	148	JD	(Bhilwara)
(M.P.)	15. Shri Amrat Lal Vallabhadas Tarwala	154	BJP	(Khandwa)
(Rajasthan)	16. Smt. Vasundhara Raje	166	BJP	(Jhalawar)
(M.P.)	17. Smt. Sumitra Mahajan	168	BJP	(Indore)
(Maharashtra)	18. Shri Ram Naik	191	BJP	(Bombay North)
(Maharashtra)	19. Prof. Ram Ganesh Kapse	193	BJP	(Thane)
(H.P.)	20. Prof. Prem Kumar Dhimal	198	BJP	(Hamirpur)
(H.P.)	21. Shri Maheshwar Singh	199	BJP	(Mandi)
(M.P.)	22. Shri Chhaviram Argal	212	JP	(Morena)
(M.P.)	23. Shri Rameshwar Patidar	216	BJP	(Khargone)
(M.P.)	24. Shri Braham Lal Jangde	217	BJP	(Bilaspur)
(U.P.)	25. Shri Mahadeepak Singh Shukla	222	BJP	(Etah)
(U.P.)	26. Shri Ram Sejar	224	BJP	(Saidpur)
(U.P.)	27. Shri Santosh Kumar Gangwar	225	BJP	(Bareilly)
(M.P.)	28. Shri Chand Kumar Sai	242	BJP	(Rajgarh)
(Rajasthan)	29. Prof. Raza Singh Rawat	245	BJP	(Ajmer)
(Rajasthan)	30. Shri Nandlal Meena	250	BJP	(Salumber)
(Gujarat)	31. Shri G.M. Thakore	259	BJP	(Kapadvanj)
(Gujarat)	32. Shri Chandubhai Deshmukh	261	BJP	(Broach)
(Gujarat)	33. Shri Babubhai Meghji Shah	262	BJP Slip	(Kutch)
(Tamil Nadu)	34. Shri Kadambur M.R. Janarthanan	281	AIOMK	(Tirunelveli)
(And Nicobar)	35. Shri Menoranjana Bhakta	365	CongI	(And Nicobar)
(Tamil Nadu)	36. Shri S.S. Bagavaraaj	305	CongI Slip	(Tumkur)

( J. & K.)	37. Shri Dharam Pal Sharma	395	CongI	(Udhampur)
(A.P.)	38. Prof. N.J. Ranga	436	CongI	(Guntur)
(Maharashtra)	39. Shri Vasant Sathe	438	CongI	(Wardha)
( A.P.)	40 Shri K.S. Rao	448	CongI	(Machilipatr
( U.P.)	41. Shri Ram Awadh	531	JD	(Akbarpur)
(Karnataka)	42. Shri Srikanta Datta			(Mysore)
	Nrasimharaia Wadiyar	543	CongI	slip



सत्यमेव जयते

LIST OF MEMBERS OPPOSED COW SLAUGHTER PROHIBITION BILL

		<u>Div.No.</u>	<u>Party</u>
( Orissa)	1. Shri Bhage, Gobardhan	26	JD slip (Mayurthanj)
( Bihar)	2. Shri Nitish Kumar	29	JD (Barh, Patna)
( Bihar)	3. Shri Yuvraj	42	JD slip (Katihar)
(Orissa)	4. Shri Anadi Charan Das	44	JD (Jajpur)
(Haryana)	5. Shri Het Ram	48	JD slip (Sirsa)
( U.P.)	6. Prof S.P. Yadav	50	JD slip (Sambhal)
(U.P.)	7. Shri Mandhata Singh	57	JD slip (Lucknow)
(Orissa)	8. Shri Bal Gopal Mishra	60	JD (Bolangir)
((Bihar)	9. Shri Devendra Prasad Yadav	61	JD (Jhanjharpur)
(Orissa)	10. Shri A.N. Singh Deo	64	JD slip (Aska)
(Bihar)	11. Shri Ramendre Kumar RaviYadav	73	JD slip (Madhepura)
(Bihar)	12. Shri Ram Sharan Yadav	85	JD slip (Khagaria)
(Orissa)	13. Shri Bhabani Shanker Hota	86	JD slip (Sambalpur)
(Orissa)	14. Shri Ravi Narajan Pani	87	JD slip (Deogarh)
(Bihar)	15. Shri Dhanraj Singh	91	JD (Munger)
(Bihar)	16. Shri Chhedi Paswan	93	JD (Sasaram)
(Bihar)	17. Shri Ram Prasad Singh	94	JD (Bikramgang)
( M.P.)	18. Shri Purushottam Kaushik	106	JD (Durg)
( U.P.)	19. Shri Rajmanjari Pande	119	JD (Deoria)
(Maharashtra)	20. Shri Hari Shankar Mahale	121	JD (Malegaon)
(Bihar)	21. Shri Dashai Chaudhary	136	JD (Rosera)
(Bihar)	22. Shri Lal Baboo Rai	159	JD (Chapra)
( U.P.)	23. Shri Bangali Singh	160	JD slip (Hathras)
(Orissa)	24. Shri Mangaraj Mallik	161	JD (Bhadrak)
( U.P.)	25. Shri Sarwar Hussain	162	JD slip (Bulandshahr)
(Bihar)	26. Shri Ram Naresh Sing	170	JD slip (Aurangabad)
(Rajasthan)	27. Shri Gopal Pachherwal	175	JD (Tonk)
(Rajasthan)	28. Shri Hira Bhai	2176	JD slip (Banswara)
(W.Bengal)	29. Shri Saifuddin Choudhary	185	Com. (Katwa)
(W.Bengal)	30. Shri Amal Datta	189	Com(M) (Diamond Harbour)
(W.Bengal)	31. Shri Hannan Mollah	194	Com(M) (Uluberia)
(W.Bengal)	32. Prof. Malini Battacharya	202	Com(M) (Jadavpur)
( U.P.)	33. Smt. Subhashani Ali	203	Com.(M) (Kanpur)
(Orissa)	34. Shri Jhivaji Pattnaik	216	



( J. & K.)	37. Shri Dharam Pal Sharma	395	CongI	(Udhampur)
(A.P.)	38. Prof. N.J. Ranga	436	CongI	(Guntur)
Maharashtra)	39. Shri Vasant Sathe	438	CongI	(Wardha)
( A.P.)	40 Shri K.S. Rao	448	CongI	(Machilipatr
( U.P.)	41. Shri Ram Awadh	531	JD	(Akbarpur)
(Karnataka)	42. Shri Srikanta Datta			(Mysore)
	Nrasimharaia Wadiyar	543	CongI	slip



सत्यमेव जयते

# WHY BAN ON COW SLAUGHTER

## THE CONSTITUTION (AMENDMENT) BILL, 1990 BY

Guman Mal Lodha, M. P.

### RESOLUTION RE : BAN ON COW SLAUGHTER

Mr. Deputy Speaker : We have to fix the time for the discussion on this Resolution. I think, we can fix two hours time for this Resolution. Now, Shri Lodha to move the Resolution and speak.

Shri Guman mal Lodha (Pali) : I beg to move :  
"This House is of the opinion that the Government should bring forward a suitable legislation to ban slaughter of cow and its progeny throughout the country."

उपाध्यक्ष महोदय, भारत में गाय व गाय के वंशज बछड़ा, बैल, साण्ड व अन्य के ऊपर प्रतिबंध लगाने के लिए जब संविधानसभा में इस प्रस्ताव को लाया गया था।

उस समय गम्भीरता से इस प्रश्न पर विचार किया गया था। भारत हमेशा से कृषि प्रधान देश रहा है और कृषि में गाय एवं गाय के वंशज बैल, बछड़े का बहुत महत्व होता है। देश में जिन दिनों कांग्रेस के द्वारा राष्ट्र की स्वतंत्रता का आन्दोलन चलाया जा रहा था, उस समय भारत के अनेक महान नेता, महामना मदन मोहन मालवीय जैसे अनेक नेता ऐसे थे, जिन्होंने इस बात का संकल्प किया था और भारत की जनता को आशवासन दिया था कि जैसे ही भारत स्वतंत्र होगा, गोवध पर प्रतिबंध लगा दिया जायेगा। महात्मा गांधी भी स्वयं अपने जीवनभर गोवध पर प्रतिबन्ध लगाने के लिये मत व्यक्त करते रहे। उसके बाद, जब राष्ट्र स्वतंत्र हो गया, फिरंगी इस देश से चले गये, अंग्रेज इस देश से हमेशा के लिये विदा हो गये तो यह आशा की जाती थी कि यह राष्ट्र गोवध पर पूर्ण प्रतिबंध लगायेगा। परन्तु यह हमारा दुर्भाग्य था कि जिन दिनों संविधान का निर्माण किया जा रहा था, उस समय भी यद्यपि गोवध पर प्रतिबंध से सम्बंधित प्रस्ताव को संविधान के डायरेक्टिव प्रिन्सिपल्स में शामिल करने का प्रयत्न किया गया, परन्तु काउन्सिल प्रोजेन की बारे में जो संशोधन था, वह संविधान के डायरेक्टिव प्रिन्सिपल्स में शामिल नहीं किया जा सका। परिणामस्वरूप संविधान के डायरेक्टिव प्रिन्सिपल्स में भी गोवध का प्रावधान नहीं आ सका। अज्ञान ही नहीं, उपाध्यक्ष जी, जब गो हत्या पर प्रतिबंध के प्रश्न पर विचार हो

रहा था तो उसे स्टेट लिस्ट में रखा जा सका, कन्फ्रेट लिस्ट में उसे स्थान नहीं मिला। उसके बाद भी इस दिशा में अनेक प्रयास किये गये, प्रस्ताव लाये गये, प्राइवेट मैम्बर बिल भी आये, लेकिन उनमें से कोई पारित न हो सका। उसी का यह फल है कि आज यद्यपि कई राज्यों में गोवध पर पूर्णतः प्रतिबंध है फिर भी वेस्ट बंगाल सहित, केरल आदि कई राज्य ऐसे हैं, जहाँ अब भी गाय की हत्या करके, उसके बून से वहाँ की सड़कों को रंगा जाता है।

उपाध्यक्ष महोदय, कुछ समय पहले मैं कलकत्ता में था। वहाँ एक समारोह में कुछ व्यक्ति मुझसे मिलने आये। उन्होंने मुझसे कहा कि यह कितने दुख की बात है कि राम और कृष्ण के इस राष्ट्र में, जिस देश में गोपालक के रूप में श्रीकृष्ण का अवतरण हुआ, उस देश में आज हमारे सामने, हमारी आँखों के सामने सरे आम सड़कों पर गायों को कत्ल किया जाता है। हम सब के लिये यह कितने शर्म की बात है कि आज भी कलकत्ता में बकरीईद के त्यौहार पर, वहाँ एक ऐसा कानून बना है, जिसके अंतर्गत सरकार को इस बात की अनुमति प्राप्त है कि वह गायों को कत्ल करवें

(व्यवधान)

Mr. Deputy Speaker : Mr. Lodha you are quite in a position to understand the feelings throughout the country. So, please be careful not to say things which will unnecessarily flare up the situation. You can present this topic in any fashion you like but see that the feelings of the people are not hurt.

श्री गुमान मल लोधा : उपाध्यक्ष महोदय, आपके संकेत की पूर्ण रूप से पालना की जायेगी परन्तु यह हमारे राष्ट्र का दुर्भाग्य ही कहा जायेगा, कि यहाँ जो माननीय सदस्य ऐसा कहते हैं कि हम जनता की संवेदना के बारे में चिन्ता नहीं करते, वे शायद यह भूल जाते हैं कि जो एक मुक पशु के जीवन के बारे में चिन्ता करता है, वह मनुष्य की संवेदना के बारे में सबसे पहले चिन्ता करता है।

(श्री गुमान मल लोधा जारी)

उपाध्यक्ष महोदय, मैं संविधान सभा की डिबेट्स आपके सम्मुख प्रस्तुत करूँगा जिनमें स्पष्ट रूप से इस बात का, सारे राष्ट्र के लोगों ने उस समय उल्लेख किया था कि भारत में गोवंश का वध पूर्णतः बन्द होना चाहिए। मैंने आपके सामने कलकत्ता का उल्लेख इसलिए किया था कि कलकत्ता में जब गौ गया, तो वहाँ बहुत दुख के साथ यह बात कही गई थी, ... श्री शोपत सिंह मक्कासर (बीकानेर) क्योंकि वहाँ कम्युनिस्ट रहते हैं।

श्री गुमान मल लोढ़ा : उपाध्यक्ष महोदय, कम्युनिस्टों का राज्य हो, चाहे कांग्रेस का राज्य हो, चाहे बी. जे. पी. का राज्य हो, डी. एम. के. का राज्य हो या ए. डी. एम. के. का राज्य हो, किसी भी राज्य के अंदर भारत में इस कृष्ण की धरती के ऊपर, जहाँ देश ही कृषि की प्रधानता रखता हो, वहाँ पर गाय का वध न हो, इस बात का संकल्प लेकर, मैंने इस प्रस्ताव को उपस्थित किया है।

उपाध्यक्ष महोदय, गाय और गाय के साथ बछड़ा और बैल, हमारी कृषि के मूलरूप से हमेशा के साथन रहे हैं। आज यदि आर्थिक दृष्टि से भी देखें तो ये महत्वपूर्ण हैं। आज पर्यावरण या ईंधन का प्रश्न ले लिया जाए या फर्टीलाइजर का प्रश्न ले लिया जाये तो यदि गाय की रक्षा होती है, बैल की रक्षा होती है और गोवंश की रक्षा होती है, तो हम राष्ट्र को बहुत बड़ी सेवा कर सकेंगे, फर्टीलाइजर्स में, आज कई ऐसे पाऊंडर हैं, जिनके कारण से केमीकल मिक्स होते हैं, जिनके कारण फसल बर्बाद होती है, साथ में कुछ दुर्घटनाएँ भी हो जाती हैं। अभी कुछ समय पहले ही समाचार आया था कि किस प्रकार से ऐसे जहरीले पाऊंडर के कारण बहुत बड़ा काण्ड हुआ। बड़ी बड़ी हत्याएँ हो जाती हैं। बहुत बड़ी बड़ी दुर्घटनाएँ हो जाती हैं। इस सन्दर्भ में, मैं आपके सामने आँकड़े प्रस्तुत करूँगा जिनमें हमारे साइंटिस्ट्स ने और दुनिया के लोगों ने कहा है कि गाय का जो ईंधन होता है, जो गाय का गोबर होता है, उससे सबसे बढ़िया फर्टीलाइजर बनता है और वह सदियों सदियों से रहा है और आज भी है।

उपाध्यक्ष महोदय, गाय केवल धार्मिक दृष्टिकोण से नहीं, बल्कि आर्थिक दृष्टिकोण और सामाजिक दृष्टिकोण से भी पूजनीय है। गाय की तो हमेशा इस देश में पूजा होती रही है। गाय को माता कहा है और ऋषि, मुनियों और कांग्रेस के बड़े बड़े नेताओं, जिन्होंने संघर्ष किया है, उन्होंने गाय माता को, भारत माता से भी अधिक पवित्र माना है। इसका कारण यही रहा है कि गाय का आर्थिक क्षेत्र में बहुत बड़ा उपयोग रहा है। इस कारण से मैं निवेदन करना चाहता हूँ कि गाय के प्रश्न के ऊपर हम दलों से ऊपर उठकर के और राष्ट्रीय दृष्टिकोण से, गो हत्या को बन्द करने के लिए सबसे प्रथम कार्य तो यह करें कि हम संविधान के अंदर एक ऐसा संशोधन लाएँ जिसके कारण प्रदेशों के अंदर, इस प्रश्न पर, जो अलग अलग कानून बनाने का अधिकार है और जिसके कारण आज देश के अन्दर विभिन्नता है, केवल मात्र दो प्रदेशों में गोहत्या का कानून है, शेष देश में नहीं है, यह विभिन्नता समाप्त हो जाए और देश की एकता एस्टैब्लिश हो जाए।

महोदय, अभी तक हमने डायरेक्टिव प्रिंसीपल्स में रखा है, ...

श्री कल्पनाय राय (घोसी) : ऐसे कौन कौन से दो प्रान्त हैं, जहाँ गाय की हत्या होती है ?

श्री गुमान मल लोढ़ा : माननीय उपाध्यक्ष महोदय, जो मेरा ज्ञान है, उसके अनुसार पश्चिम बंगाल और केरल, दो राज्यों में गोहत्या के लिए अनुमति है। यदि मेरी जानकारी गलत हो, तो कृपया सुधार दें। वैसे वेस्ट बंगाल में प्रतिबन्ध है, लेकिन कलकत्ता में, थोड़े त्योहारों के ऊपर राज्य सरकार के नोटिफिकेशन के द्वारा उसकी अनुमति दी गई है उसके खिलाफ भी कलकत्ता उच्च न्यायालय में एक रिट याचिका दायर हुई थी, उसके फैसले में, सरकार के इस अधिकार को निरस्त कर दिया गया, परन्तु सुप्रीमकोर्ट में प. बंगाल सरकार ने अपील की, जो अभी तक विचाराधीन है, इसमें स्टे आर्डर जारी हुआ है और इस स्टे आर्डर के कारण आज विभिन्न त्योहारों के ऊपर, जो त्योहार वहाँ के गोवध करने वाले व्यक्ति मनाते हैं, उस समय राज्य सरकार द्वारा गोहत्या करने की अनुमति दी जाती है।

(श्री गुमान मल लोढ़ा "जारी")

सुप्रीम कोर्ट में यह मुकदमा विचाराधीन है और इसके पहले सुप्रीम कोर्ट में इस बात के ऊपर विवाद हुआ। लेकिन सुप्रीम कोर्ट ने इस बात का निर्णय दिया कि जहाँ तक डायरेक्टिव प्रिंसीपल्स के अंदर गौ हत्या को बंद करने के लिये, स्टेट्स को और राज्यों को डायरेक्टिव दिया गया है, वह इसलिए दिया गया है कि उससे यहाँ के देश की इकोनोमी, यहाँ के देश का एग्रीकल्चर और इस देश में जिस प्रकार से आर्थिक उन्नति हो, उस आर्थिक उन्नति में गौ हत्या को बंद करके, गौ वंश की रक्षा करके सब प्रकार से उन्नति की जा सके। सुप्रीम कोर्ट के निर्णय को, मैं आपको पढ़कर कोटेशन सुनाऊँगा। सुप्रीम कोर्ट की जजमेंट में लिखा है कि किसी भी मजहब में गौ हत्या के लिये किसी प्रकार का डायरेक्शन नहीं दिया गया है। उन्होंने इस आरोप का खंडन किया है कि कुरान के अंदर गौ हत्या करना लाजमी माना गया है। अथवा गौ हत्या करना एक बहुत बड़ा पुण्य माना गया है। उन्होंने अपने निर्णय में बताया है कि दुनिया का कोई भी मजहब गौ हत्या करने के लिये आदेश नहीं देता, कोई धार्मिक नहीं समझता, कोई पवित्र नहीं समझता, इसके बाद उन्होंने डायरेक्टिव प्रिंसीपल का डिस्क्शन किया है। मेरा निवेदन है कि डायरेक्टिव प्रिंसीपल, जैसा कि सुप्रीम कोर्ट ने निर्णय किया है, कई बार वह एक आदर्श है हमारे राज्य के लिए, निर्देश अवश्य है, लेकिन ऐसा आदेश या निर्देश नहीं है जिसका न्यायालय के द्वारा पालन कराने के लिये संविधान की धारा 226 व 32 के तहत उसे पालन कराया जा सके। इस कारण सुप्रीम कोर्ट ने बार बार कहा है कि हम ऐसा डायरेक्शन नहीं दे सकते।

(भाषण समाप्त)

उपाध्यक्ष महोदय : आप अगली बार कन्टीन्यू करेंगे।

श्री गुमान मल लोढा (पाली) : सम्माननीय सभापति महोदय, गोवंश की हत्या के विरुद्ध केंद्रीय कानून द्वारा प्रतिबंध लगाने के लिये यह संकल्प इस सदन के द्वारा आंशिकरूप से 12 अप्रैल, 1979 को पारित हुआ था।

(श्री गुमान मल लोढा जारी)

विनोबा भावे ने अनशन किया था और सारे राष्ट्र में उनका अनशन से चिंता पैदा हुई थी। यह दुर्भाग्य का विषय रहा कि आंशिक रूप से संकल्प पारित होने के पश्चात् भी अब तक केंद्र के द्वारा किसी प्रकार का प्रतिबंध लगाने का कानून पारित नहीं हो सका। भारत जैसे राष्ट्र में गौ वंश की महत्ता के बारे में एक बार नहीं, अनेक बार विचार विमर्श इस सदन में हो चुका है। दुर्भाग्य इस बात का है कि 1935 में उस समय की पशु गणना के अनुसार गौवंश की गणना जो की गई उसमें 80 प्रतिशत स्वाभाविक मृत्यु के पश्चात् उनकी हड्डियां प्राप्त होती थी और केवल 20 प्रतिशत कत्ल किए जाते थे, मारे जाते थे। कितने दुर्भाग्य की बात है कि स्वतंत्रता प्राप्ति के पश्चात् 1986 में जब यह गणना की गई तो पता लगा कि अब अपने आप मृत्यु होने के बाद जिनका चमड़ा, मांस या हड्डी मिलती है, उसका प्रतिशत जो पहले 80 था वह केवल 50.20 प्रतिशत रह गया है, 48.00 और बाकी का 45.80 प्रतिशत गौवंश की हत्या के द्वारा होता है। कृष्ण के, गांधी के, महावीर के, बुद्ध के इस राष्ट्र में आज स्थिति यह है कि हर वर्ष सरकारी आंकड़ों के अनुसार 2 करोड़ 17 लाख हत्याएं होती हैं और इन 2 करोड़ 17 लाख में से मारे गए पशुओं की संख्या एक करोड़ 8 लाख है; जो स्वाभाविक मृत्यु से मर जाते हैं, उनकी संख्या एक करोड़ नौ लाख ग्यारह हजार है। इस प्रकार अब प्रतिदिन जब भगवान भुवन भास्कर आकाश में आते हैं तो उनके साथ 29,500 गाय, बैल, बछड़े इस देश में कसाईयों के बूचड़खाने या दूसरे स्थानों पर मौत के घाट उतारे जाते हैं और हर मिनट 20 हत्याएं की जाती हैं। मैं निवेदन करना चाहूंगा युगों युगों से वेदों में कहा गया है :

माता रुद्राणां दुहिता वसुनां स्वसा दित्यानाममृतस्य नाभिः ।  
प्रनु धोचं चिकितुषे जनाय मा गामनागां अदितिं यधिष्टः ॥

गाय रुद्र की माता, वसु की पुत्री और आदित्य की बहन है। गाय अमृत तुल्य दूध और धी का एकमात्र स्रोत है। इसलिए विद्वानों का यह कहना है कि गो वध नहीं किया जाना चाहिए क्योंकि यह मानवता की सेवा करती है। अथर्ववेद में कहा गया कि मेरा प्रत्येक व्यक्ति से आग्रह है कि वे गौहत्या न करें। महाभारत में, हमारे जितने पुराण, साहित्य है उसमें गाय की महत्ता की गई, उसे कामधेनु कहा गया। मैथिलीशरण गुप्त जो कांग्रेस के सदस्य थे, सदन में उन्होंने कहा कि :

“दातों तले तृण दबाकर हैं दीन गाएँ कह रही,  
हम पशु तथा तुम मनुज, पर योग्य क्या तुम को यही ?  
जारी रहा क्रम यदि यहां यों ही हमारे ज्ञान का,

तो अस्त समझों सूर्य भारत भाग्य के आकाश का ।  
जो तनिक हरियाली रही यह भी न रहने पायेगी,  
यह स्वर्ण भारत भूमि बस, मरघट बन जायेगी ।

श्री गुमान मल लोढा जारी.....

सभापति महोदय, जिस भारत के सम्राट दिलीप एक गाय की रक्षा करने के लिये भी अपना शरीर देने तक तैयार हुए, जिस दिल्ली नरेश पृथ्वीराज ने गोरक्षा के लिये अपने राज्य तथा शरीर तक को त्याग दिया, जिस दिल्ली में मुगल बादशाहों ने गोहत्या के हाथ कटवाने या गोली से मार देने की आज्ञा दी, जिस दिल्ली में सन् 1921 की गोपाष्टमी को महात्मा गांधी जी, पं. मोतीलाल नेहरू की उपस्थिति में उनकी आज्ञा से गोहत्या जारी रखने के कारण अंग्रेजी सरकार से असहयोग करने के प्रस्ताव को पास किया वहां स्थिति यह है कि हर दिन हजारों की तादाद में गायों की हत्याएँ होती हैं। मेरा यह निवेदन है कि हमारे राष्ट्र में गऊ केवल धार्मिक और आर्थिक दृष्टि से ही नहीं बल्कि सभी प्रकार से उपयोगी है। इस सदन के अन्दर जब यह बहस हुई तो यह बताया गया था और सुप्रीम कोर्ट ने इस बात को कहा कि यदि कोई व्यक्ति यह कहे कि अल्पसंख्यक किसी भी धर्म के कारण से गो हत्या करता है या उनका धर्म किसी प्रकार का मैडेट या डायरेक्शन देता है तो सुप्रीम कोर्ट ने कहा कि ऐसा कहीं नहीं है। कुरान का पूरा अध्याय गो सुरक्षा के बारे में। पैगम्बर साहब स्वयं प्रभु के अनुयायी थे और कभी गोमांस नहीं खाते थे। डा. सैयद महमूद ने अपनी पुस्तक “काऊ प्रोटेक्शन अंडर मुस्लिम रूल ए हिस्टोरिकल सर्वे” में लिखा है कि अकबर ने अपने सम्पूर्ण राज्य में आदेश जारी करके गो वध पर पूर्ण प्रतिबंध लगा दिया था। आइने अकबरी में इसका विस्तार से उल्लेख किया गया है। उसके बाद जहांगीर ने भी यह हुकम जारी किया था। इस्लामी गो रक्षण के अनुसार भी मुहमद शाह और शाह आलम जैसे भारत के परवर्ती शासकों ने गो-हत्या पर प्रतिबंध लगा दिया था। यह देखा गया है कि अरब, सिरिया, मिश्र, त्रिपोली और एशियाई तुर्की के मुसलमान राष्ट्र गो वध नहीं करते। सऊदी अरब में अब भी गो हत्या करने वाले को मृत्यु दण्ड दिया जाता है। इसी प्रकार कई अन्य राष्ट्रों में भी गो हत्या पर प्रतिबंध है। यहां तक कि मुहम्मद पैगम्बर ने कहा कि गाय के दूध से रोगों का उपचार होता है। मक्खन औषध है, मांस व्याधि है। महात्मा जी ने जीवन पर्यन्त इसके लिये संघर्ष किया। उन्होंने कहा कि मैं गाय को सम्पन्नता और सौभाग्य की जननी मानता हूँ और कहा कि गौ माता हमारी अपनी माँ के समान कई दृष्टियों से उत्तम है।

It is more pious than the mother.

गांधी ने फिर 25.1.1925 को कहा कि “गो हत्या और मानव हत्या में कोई अन्तर नहीं है” यह एक ही सिक्के के दो पहलू हैं। जब गोहत्या होती है तो महात्मा जी ने कहा कि मुझे ऐसा लगता है जैसे मेरी हत्या की जा रही है। डाक्टर राजेन्द्र प्रसाद ने भी इसी प्रकार

अपने विचार प्रकट किये। बाल गंगाधर तिलक ने यहाँ तक कहा कि हम स्वराज प्राप्त करने के पश्चात् पाँच मिनट के भीतर अपनी कलम की नोक से गो हत्या बंद करने का कानून बना देंगे। 1947 से 1990 आ गया है लेकिन गो हत्या अब भी हो रही है। पहले 20 परसेंट हत्याये होती थी आज 50 परसेंट हो रही है। पंडित मदन मोहन मालवीय कह गये कि मेरी अंतिम इच्छा थी कि भारत के संविधान का पहला खंड गोहत्या पर प्रतिबंध लगाने वाला होना चाहिए। जवाहर लाल जी को हम राष्ट्र के निर्माता के रूप में याद करते हैं। उन्होंने कहा कि

"It is not surprising that the Hindu should be mild and nonviolent, for his patron animal is the cow"

जयप्रकाश नारायण जिन्होंने इस देश में आन्दोलन किया और सन् 1977 को सारे राष्ट्र में नया जीवन और नई क्रांति दी उन्होंने कहा कि

"To my mind, in the Indian conditions, nothing can be more scientific and rational than to ban cow slaughter."

सभापति महोदय, उन्होंने अपने आर्थिक आधार के ऊपर प्रोग्रेटिक एप्रोच करके कहा था।

Nothing can be more rational and scientific than to ban cow slaughter. "Cow's milk is the cheap cause of recovery and health. Ghee is a medicine and beef is a disease." This is what Prophet Mohammad has said.

श्रीमान्, सुप्रीम कोर्ट ने अपने निर्णय में 1958 में कहा :

"In short, the backbone of Indian agriculture is in a manner of speaking the cow and her progeny."

हमारी कृषि का आर्थिक आधार, हमारे विकास का, हमारी ग्रामीण जनता का, पशु पालकों का कितना अधिक है, वह ब्रिटिश साम्राज्यवाद के समय में भी लार्ड लेनिंग ने, जो यहाँ के बादशाह थे, उन्होंने लिखा था :

"The cow and working bullock have on their patient back the whole structure of Indian agriculture"

Well-known Rafi Ahmed Kidwai said :

"When a large section of public is in favour of prohibition and prohibiting cow slaughter, this opinion must be respected. Thus alone democratic government can function successfully."

सभापति महोदय : आप जरा संक्षेप में बोलें तो बहुत अच्छा होगा क्योंकि बहुत से सदस्य बोलने वाले हैं।

श्री गुमान मल लोढा : सभापति महोदय, मैं आपके सामने उसके वह पहलू रखना चाहूँगा कि जिस समय संविधान सभा में डिबेट हुई और

गौ रक्षा के प्रश्न के ऊपर विवाद हुआ तो कई मित्रों को यह जानकर आश्चर्य होगा कि इस समय जो संविधान सभा के सदस्य थे, यहाँ तक कि वह सदस्य माइनोरिटी को बिलोंग करते थे, डेड. एच. लहरी ने कहा जो संविधान सभा के सदस्य थे :

"My own submission to this House is that it is better to come forward and incorporate the clause in fundamental rights that cow slaughter is henceforth prohibited, rather than being left vague in the Directive Principles, leaving it open to the provincial government to adopt it in one way or the other, and even without adopting definite legislation to resort to emergency powers under the Criminal Procedure in the interest of goodwill in the country and of cordial relations between the different communities, I submit that this is the proper occasion when the majority should express itself clearly and definitely."

सभापति महोदय, मैं इसलिए निवेदन करना चाहता हूँ कि इस समय सैयद मोहम्मद सईदुल्ला, जो एक सदस्य थे, उन्होंने भी अपने भाषण के अन्दर स्पष्ट रूप से कहा :

"I know the vast majority of the Hindus rever the cow as their goddess and therefore, they cannot brood the idea of seeing it slaughtered. I am a Muslim as everyone know. In my religious book, the Holy Quran, there is an injunction to the Muslims saying : La Ikraza Fid Din. It means, there ought to be no compulsion in the name of religion. I, therefore, do not like to use my veto when my Hindu brethren want to place this matter in our Constitution."

सभापति महोदय, इस समय यह दुर्भाग्य रहा कि सेठ गोविन्द दास ने जो प्रस्ताव फण्डामेंटल राइट्स पर इसको लाने के लिए रखा था, जैसे धारा 17 से अस्पृष्टता को समाप्त कर दिया गया इसी प्रकार से वह चाहते थे कि इसको भी फण्डामेंटल राइट्स के अन्दर न रखकर हायरेक्टिव प्रिन्सिपल्स के 48 में रखा गया और उसका नतीजा यह हुआ कि 48 में रखने के कारण हमारा आदर्श अवश्य रहे लेकिन न्यायालयों ने उनको पूरी तरह से एन्फोर्स करने में अपनी इनेबिलिटी जाहिर की लेकिन इसके पश्चात् भी सुप्रीम कोर्ट ने स्पष्ट रूप से 1958 के अन्दर कहा, जब एम. एच. कुरेशी वर्रोज स्टेअ ऑफ बिहार 1958 ए. आई. आर. सुप्रीम कोर्ट 731 में स्पष्ट रूप से सुप्रीम कोर्ट के न्यायाधीशों ने इस बहस को अस्वीकार कर दिया कि गोहत्या करना कोई धार्मिक अधिकार है, धारा 25 के अन्दर और उन्होंने पृष्ठ 732 पर स्पष्ट रूप से कहा :

"Held that the sacrifice of the cow on Bakrid Day is not an obligatory overt act for Muslims to exhibit religious belief and ideas and consequently there was no violation of the fundamental rights of the Muslims under articles 25(1) of the Constitution."

सभापति महोदय, उनके सामने यह प्रश्न लाया गया था और बहस की गयी थी। यहाँ पर कई प्रस्ताव आने के बाद भी सरकारी दल को

कभी-कभी कानून के बारे में संकोच होता है। पृष्ठ 745 पर यह स्पष्ट रूप से कहा गया है

"No reference is made in the petition to any particular Surah of the Holy Quran which, in turn, requires the sacrifice of a cow."

"It is part of the known history of India that the Moghul Emperor Babar saw the wisdom of prohibiting the slaughter of cows as and by way of religious sacrifice and directed his son Humayun to follow this example. Similarly, Emperors Akbar, Jehangir, and Ahmad Shah, it is said, prohibited cow slaughter. Nawab Hyder Ali of Mysore made cow slaughter an offence punishable with the cutting of the hands of the offenders. Three of the members of the Gosamvardhan Enquiry Committee set up by the Uttar Pradesh Government in 1953 were Muslims had concurred in the unanimous recommendation for total ban on slaughter of cows. We have, however, no material on the record before us which will be enable us to say, in the face of the foregoing facts, that the sacrifice of a cow on that day is an obligatory overt act for a Mussalman to exhibit his religious belief and idea. In the premises, it is not possible for us to uphold this claim of the petitioners."

सभापति महोदय, बाबर ने अपने वसीयतनामे में कहा है कि हमारा यदि तु हिंदुस्तान पर राज करना चाहता है तो यहां की जनता की जो भावना, आदर और श्रद्धा है और उसके केंद्र में गाय है, उस गाय की हत्या कभी मत करने देना। सभापति महोदय इसी उद्धृत भाग में यह सब लिखा है।

(श्री गुमान मस्त तोदा क्रमागत)

सभापति महोदय, मैं निवेदन करना चाहता हूँ कि हम इस पर विचार कर इस पर रोक लगाएं। मैं आपके सामने एक और चीज उद्धृत करना चाहूंगा कि पहले जब डिबेट हुई थी तो उस समय जयप्रकाश जी ने ज्योति बसु जी को पत्र लिखा था, उसका उल्लेख किया गया था। वह पत्र जो था उसके अंश इस प्रकार है

"Dear Jyoti Basu.

You may have learnt from the newspapers about Acharya Vinoba Bhave's announcement to go on a fast which, in his age, is almost a complete fast, in support of a ban on cow slaughter, in accordance with the interpretation given by the Supreme Court .....was reasonable and that there should be no difficulty in giving effect to it."

सभापति महोदय, ज्योति बसु ने इस पर प्रतिबंध लगाना स्वीकार कर लिया था। अब हमारे विपक्ष में जो बैठे हुए साथी श्री वंसत साठे हैं उन्होंने स्वयं कैटेगोरिकल्ली, स्पष्ट रूप से कहा था। अपने तर्कयुक्त भाषण के बाद यह कहा था

"Shri Vasant Sathe :

On behalf of the Congress-I Party, we are for a total

ban on cow slaughter, I say on behalf of the Party.

सभापति महोदय, इसको कांग्रेस पार्टी का समर्थन है, ज्योति बसु का समर्थन है, जयप्रकाश जी का समर्थन है, गांधी जी का, नेहरू जी का और साठे जी का समर्थन प्राप्त है। साठे जी ने तो काफी तर्कयुक्त भाषण दे कर के इसका समर्थन किया था

इसलिए मैं निवेदन करना चाहूंगा कि इकोनोमिक दृष्टि और आर्थिक दृष्टियों से यह करना आवश्यक है। आप जानते हैं कि हमारे यहां फर्टीलाइजर की कमी है। हमारे यहां जो नेचुरल फर्टीलाइजर है वह गोबर का है। गाय के गोबर का सब से बढ़िया फर्टीलाइजर होता है। इकोनोमिक आस्पेक्ट्स से भी यह आवश्यक है।

लेकिन यह दुर्भाग्य है कि जब गाय का दूध अमृत के रूप में माना जाता है तो हमारे यहां जो ग्वाले हैं, गूजर घोसी हैं, यादव हैं और कई समाज हैं जिनका कि सारा जीवन पशु पालन के ऊपर, गाय के ऊपर आधारित है, हमारे देश की सारी कृषि गाय की इकोनोमिक पर आधारित है।

मैं आपसे निवेदन करना चाहूंगा कि सभापति महोदय, कि जिस समय श्रीमती इन्दिरा गांधी जब एक स्थान पर अपना भाषण दे रही थी तो उन्होंने अपने भाषण में इस बात को स्वीकार किया था और कहा था कि हमारे राष्ट्र में तो यह ट्रैक्टर्स, बुलडोजर और नाइट्रिक इक्विपमेंट है, इनको एक तरफ रख दिया जाये और यदि गाय और बैल का पूरा उपयोग किया जाए तो गाय और बैल के उपयोग से हमारे राष्ट्र में कम से कम अधिक कृषि हो सकती है। तो इस कृषि की प्रगति के लिये, ग्रामीण जनता की प्रगति के लिये, पशुपालकों की प्रगति के लिये जनता के स्वास्थ्य की प्रगति के लिए कृषि बहुत जरूरी है। इसलिये इस राष्ट्र में खाद के अंदर जो जहर मिल जाता है तो जमीन की केपेसिटी समाप्त हो जाती है और सभापति महोदय यदि साइंटिफिक एनेलेसिस से कि आज हमारे यहां नहीं, आपको बताना चाहूंगा कि विश्व के अंदर गाय की रक्षा करने वाले बहुत से लोग हैं। अगर मैं पापुलेशन के बेसिस पर आपको बताऊं यो अन्य राष्ट्रों के अंदर एक हजार के प्रति व्यवधान

सभापति महोदय, मैं आपको बताऊंगा कि हमारे यहां 1951 में 430 एक हजार की जनसंख्या के ऊपर गाय और बैल हुआ करते थे, 1961 में ये संख्या 400 घट गई, 1972 में 328 हो गई, 1982 में केवल 271 रह गई और इस प्रकार से गाय, बैल की संख्या कम होती गई। सन् 1982 में केवल एक हजार पर 278 हो गई, 1951 में 430 थी। दुनिया के दूसरे राष्ट्रों में आप देखेंगे अर्जेंटीना में एक हजार के सामने दो हजार 89 गाय और बैल होते हैं।

ऑस्ट्रेलिया में एक हजार 365 होते हैं, कोलम्बिया में 919 होते हैं और ब्राजील में 728 होते हैं, इस प्रकार से मेरा यह निवेदन है कि किस प्रकार से यह संख्या घटती गई और इसके घटने के कारण से

सभापति महोदय हमारे राष्ट्र में सब प्रकार की हानि हुई और आज यह स्थिति है कि आप देख रहे हैं कि इस राष्ट्र अंदर किस प्रकार से संख्या घटती चली जा रही है।

व्यवधान

मैं यह बताना चाहता हूँ कि हर क्षेत्र के अंदर गाय और बैल का उपयोग किस प्रकार से हो रहा है। कोट करके मैं इसको समाप्त करता हूँ और कोट कर रहा हूँ कि श्रीमती इंदिरा गांधी को नरौदी में उन्होंने एनर्जी कांग्रेस में जो कहा था, वह यह है :

Mrs. Indira Gandhi said in Nairobi while addressing Energy Conference in August 1981 :  
"In this jet age, people refer to bullock carts as symbols of the past. However, in India, animals provide more power than all of our power houses, whose installed capacity is 22000 Megawatts. Replacing them would entail a further investment of 25-40 billion dollars in electricity over and above the loss to the farm economy of manure and cheap fuel."

सभापति महोदय, मैं कहना चाहता हूँ कि दूध से दही, मक्खन, घी और यहां तक की गोबर के द्वारा गोबर गैस की एनर्जी, गोबर के द्वारा फर्टिलाइजर, यही नहीं पोल्यूशन एटमोस्फियरिक एनवारमेंटल पोल्यूशन हो रहा है, उसमें भी सबसे स्वस्थ रोकथाम करने वाले हैं, वह गाय का गोबर है।

मेरा निवेदन है कि इस संकल्प को पास किया जाए, संविधान की धारा 48 के अनुसार और पहले जो संकल्प पारित हुआ है, उसके अनुसार इस बात के लिए पूर्णतः सहमति रही है। अब समय आ गया है जब हम सब मिलकर इस संकल्प को पारित करें।

सभापति महोदय (श्री बबन राव ढाकणे) : अब आप समाप्त करिये।

श्री गुमान मल लोढा : बस मैं समाप्त कर रहा हूँ। मैंने सदन के पटल पर एक फोटो प्रस्तुत किया है, इस प्रकार गाय बछड़े काटे जाते हैं, उनका जीवन समाप्त किया जाता है। यह सरकारी रिपोर्ट है, मेरी रिपोर्ट नहीं है। किस तरह से निर्ममता से छोटे बछड़े की हत्या की जाती है। कृष्ण और गांधी के देश में यह हो रहा है। चांदी के चंद सिक्कों के लिए यह काम किया जाता है कुछ लोग जानबूझ कर यह काम करते हैं और कुछ अन्य कारणों से इस काम को करते हैं। मेरा निवेदन है कि इस संकल्प को पारित किया जाए।

श्री प्रेम प्रदीप (नवादा) : सभापति महोदय, अभी जो माननीय सदस्य बोल रहे थे, उन्होंने बताया कि बाबर ने हुमायुं से कहा कि हिन्दुस्तान में राज करना है तो यहां गोवध बंद करवाना होगा। तो क्या बाबर के दिमाग में यह नहीं था कि मंदिर को तुड़वा कर मस्जिद न बनाई जाए।

श्री गुमान मल लोढा : बाबर नहीं चाहता था, उसका एक सेनापति था, जिसने यह करवाया।

Further to amend the Constitution of India  
Be it enacted by Parliament in the Forty-first year of the Republic of India as follows:-

1. This Act may be called the Constitution (Amendment) Act, 1990. Short title.

2. In article 48 of the Constitution for the words 'and prohibiting the slaughter, of cows and calves', the words 'and prohibiting the slaughter, of cow and its progeny' shall be substituted. Amendment of article 48.

3. in the Seventh Schedule to the Constitution:-

(i) In List II-State List, for entry 15, the following entry shall be substituted, namely:- Amendment of Seventh Schedule.

10 "15. Preservation, protection and improvement of stock and prevention of animal diseases subject to the provisions of entry 17 of List III; veterinary training and practice.;" and

(ii) In List III- Concurrent List, for entry 17, the following entry shall be substituted, namely:-

15 17. Prohibition of slaughter of cow and its progeny; prevention of cruelty to animals including sacrifice of animals for religious purposes."

#### STATEMENT OF OBJECTS AND REASONS

Although article 48 of the Constitution provides for prohibition of slaughter of cows and calves and other milch and draught cattle, the States of West Bengal and Kerala have not yet introduced prohibition of cow slaughter. Moreover, article 48 provides of prohibition of cow slaughter and not for the progeny of cow.

In the absence of an entry providing for prohibition of slaughter of cow and its progeny in List III - Concurrent List of the Seventh Schedule to the Constitution, the Parliament cannot enact a law for the prohibition of cow slaughter. The Supreme Court in the past has taken the view that though a ban on cow slaughter is constitutional yet slaughter of other animals like bullock, buffaloes etc. can be allowed if such animals are not economically viable.

The people of India, both for economic and religious reasons, have always demanded complete ban on slaughter of cow and its progeny and other milch animals but it has not been accepted so far. Hence this Bill.

NEW DELHI:  
April 11, 1990.

**We shall enact a law abolishing cow-slaughter by the mere fiat of our pen within five minutes after we attain 'Swaraj'**

-Ball Gangadhar Tilak

THE TIMES OF INDIA  
New Delhi

Dated : 23 APR 1992

## UP Bill an opening gambit

By SAIBAL DASGUPTA

The Times of India News Service

LUCKNOW, April 22:

THE official move to amend the U.P. Prevention of Cow Slaughter Act is being viewed as an attempt to test the Centre's mood a week after the Congress Working Committee passed the resolution condemning the BJP for inciting "majority communalism".

The obvious purpose is to prepare the ground for passing a law on the Ayodhya tangle which the chief minister, Mr Kalyan Singh, and other BJP leaders have been repeatedly promising. The long-term motto is to evolve the right political climate for a confrontation with the Centre, should the need arise.

It being in the concurrent list, the President's assent is required to amend the cow slaughter Act effective even after it is passed by both the assembly and the legislative council. The President's assent is also required for any move to make law on the Ayodhya issue. Since the President is likely to withhold assent on both Bills, the BJP hopes to use it for launching a tirade against the Centre.

The Bill, which was moved in the assembly on Monday, seeks to drop an exemption clause in the cow slaughter Act, which permits the killing of milch animals that are over 15 years old, those that

have contagious diseases and the ones required for medical research.

The Bill also seeks to expand the definition of cow to include bulls, oxen and oxcarts. It also seems to amend the section which obliges a butcher to obtain permission from the district authorities before killing cows.

The Bill follows a government order of March 16 which prohibited district authorities and the veterinary doctors in the animal husbandry department from certifying animals for slaughter. The government order said that the work of issuing certificates was being withheld because it had led to corruption among veterinary doctors.

**LEGAL SCRUTINY:** In itself, the government order could have hardly withstood legal scrutiny. The Supreme Court had in 1961 struck down the section on the ground that "it imposes unreasonable restrictions on the rights of butchers." In a similar case — Hanif Khureshi vs State of Bihar — the Supreme Court had ruled in 1958 that "a total ban on slaughter was not in the interest of the public and therefore invalid."

By trying to amend the cow slaughter Act, the BJP government has merely set the ball rolling. It is a long way to Rashtrapati

Bhavan. The Bill must pass muster in both the assembly and legislative council before it can be sent to the President.

Being a minority in the legislative council, there is a slender chance of the Bill sailing through at the first attempt. It must pass through the motions of being referred back to the assembly or being voted on in a joint session of both the Houses.

In this context the cow slaughter Bill is seen as an experiment. The main goal is to pass a law for paving the way to the construction of the Ram Mandir at Ayodhya. The outcome on cow slaughter is expected to guide the BJP's future moves on Ayodhya.

Even if the legislative council blocks the passage of the Bill, it will enable the BJP to raise hackles against the opposition parties for their allegedly anti-Hindu attitude. In case the Bill does get through both Houses in Lucknow, it will provide the BJP with a daunting political weapon.

The bill will then force the Centre's hand. The Centre would, in all probability, withhold the presidential sanction. The BJP hopes to follow up with the Bill on Ayodhya and create a similar situation. It can then opt for a head-long confrontation with the central government.



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THE HINDUSTAN TIMES  
New Delhi

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Dated : 4 OCT 1993

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## Gujarat bans calf slaughter

AHMEDABAD, Oct. 3 (PTI)  
No more slaughtering of calves in Gujarat -- a State ban follows the daylight murder of an animal right activist and the ensuing month-long loud protests by religious groups and social workers.

Within less than a month of the gruesome murder of Gitaben Bachubhai Rachubhai, Jain animal rights activist, here, the Gujarat Government imposed a ban on the slaughter of all cow progeny in the State through an ordinance on Sept. 23.

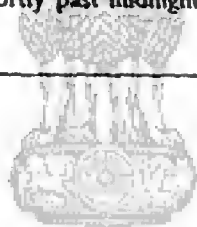
Gitaben, convenor of the "Akhil Bharatiya Himsa Nivaran Sangh", was stabbed to death in broad daylight on Aug. 27 by two butchers while on her usual inspection to check illegal slaughtering of cow progeny in the Paldi area of the city.

## ANNEX I (14)

Paragraph 115

### ***Cow slaughter Bill passed***

**IT--BOMBAY, Aug. 10 (UNI)**  
The Maharashtra Animal Preservation (Amendment) Bill, 1995, banning the slaughter of cows and their progeny, which was reintroduced two days after its withdrawal on August 2 was passed amid continuous din and slogan-shouting by both the Opposition and Treasury Benches, shortly past midnight last night.



सत्यमेव जयते

1.	Name of Paper	HINDUSTAN TIMES	Dated	5 May 95
2.	Published at	NEW DELHI		

## SC Order on Cow Slaughter

# Bengal Govt in a fix

HT Correspondent

CALCUTTA, May 4

The West Bengal Government finds itself in a jam over compliance with the Supreme Court order of November 16 last year banning the slaughter of healthy cows on the occasion of bakr-id.

The situation again may have been created by the State Government itself as it decided to issue a notification against such slaughter just 10 days before the Muslim festival.

As it is the West Bengal Animal Slaughter Control Act, 1950 prohibits the killing of animals including cows, calves, bullocks, bulls, male and female buffaloes, buffalo calves and castrated buffaloes unless such animals are certified fit for slaughter.

Such certificates are to be issued jointly by the chiefs of municipal or panchayat bodies and a veterinary surgeon to the effect that either the animal concerned is over 14 years of age and unfit for work and breeding.

The State Government all these years had been granting an exemption from the Act for id-uz-zoha *gurbanis* under Section 12 of the Act until 1971 when the order was challenged in Calcutta High Court. The High Court struck down the exemption in 1982.

The State Government preferred an appeal in the Supreme Court against the High Court order. A division bench of the Supreme Court comprising Mr. Justice Kuldeep Singh, Mr. Justice B. L. Hansaria and Mr. Justice S. B. Majumdar, upheld the High Court order in their last November judgement.

They reasoned that the slaughtering of healthy cows on bakr-id was not part of a religious requirement for Muslims.

Interpreting the Act, the judges said that the "relevant portions clearly indicate the legislative intention that healthy cows which are not fit to be slaughtered cannot be slaughtered at all.

They also said that the State Government could exercise the exemption power under Section 12 in connection with the slaughter of

any healthy animal provided it could show that such exemption was necessary to be granted "for sub-serving an essential religious, medicinal or research purpose.

And without such a purpose no exemption could be granted to bypass the main provisions of the Act. The apex court also ruled that "there is no fundamental right of a Muslim to insist on slaughter of healthy cows on bakr-id day."

As the State Government woke up to the Supreme Court judgment and issued a notification on Sunday pleading inability to give the exemption for gurbani, which it said was "legally impermissible, Muslim organisations strongly objected to it.

Today, a delegation including the Imam of Nakhoda Mosque, former Congress MLA Sultan Ahmed and two Urdu newspaper editors called on State's Information Minister Buddhadeb Bhattacharya in this regard.

Mr. Bhattacharyya who reviewed the situation at a meeting with Advocate General, N. N. Gooptu and chief secretary, N. Krishnamurthi, later told reporters that the Government would issue a fresh appeal to the Muslims on abstaining from cow slaughter in the light of the Supreme Court verdict.

1.	Name of Paper	PATRIOT	Dated : 30 March 1994
2.	Published at	NEW DELHI	

## Bill on ban on cow slaughter, sale of beef passed

### Our staff Reporter

The Delhi Agricultural Cattle Preservation Bill 1994 has now become an Act which bans cow slaughter and the sale of beef in the Capital

The Bill which was passed by the Delhi Assembly on Tuesday in absence of opposition provides strict punishment including imprisonment for a term which may be extended to five years and the fine extending up to Rs. 10,000 for anyone indulging in cow slaughter or found in possession of beef.

The entire opposition had staged a walk out in protest against the non-acceptance of certain amendments in the Bill by them.

While suggesting amendments, Leader of the Opposition Jag Pravesh Chandra (Congress) said that a members of the Assembly should be pointed out as vice chair-man of the board which would supervise proper implementation of the Act and the rules framed under it. The Bill, provides that a non official would be the vice chairman of the board.

Mr. Chandra's contended that an MLA should be given preference as he is an elected representative of the people, which was rejected by the House. However, in protest, he alongwith party members and other opposition members including Janata Dal, walked out of the House leaving the ruling BJP members to pass the bill.

Mr. Chandra suggested that the Board should have five members including two women instead of three members, which was also rejected by the House.

During the discussion on the Bill, which was introduced by the Government on Monday all members including the opposition welcomed the Bill. Ajay Maken (Congress) said title and draft of the Bill did not match at all because the draft did not mention a word about the preservation while the title of the Bill stated about the preservation of cattle. Moreover a comprehensive Bill should be introduced taking the broader sense of the term Agricultural cattle.

Chief whip of the Congress Deep Chand Bandhu suggested that

killing of cow should be penalized under section 302 of IPC.

Sahib Singh Chauhan, BJP members urged the Central Government to introduce such Bill in Parliament. Janta Dal leader Ram Vir Singh Bidhuri suggested that new dairies be developed in Delhi and land be allotted to those who get employment in running in these dairies. He also suggested that provision should be made for punishment for those who illtreat cattle.

### Plea to restore water

Delhi Chief Minister Madan Lal Khurana on Tuesday informed the Assembly that he has urged Union Home Minister S B Chavan to persuade the Haryana Government to release another 50 MGD water to Delhi as it is required for the second phase of the Hyderpur water treatment plant (a capacity of 50 MGD) which is likely to be ready by the last week of April or the first week of May.

1. Name of Paper TELEGRAPH  
2. Published at CALCUTTA

Dated : 14 AUG 1994

# Beefing up secularism

The ban on cow slaughter is an attempt to convert India into a theocratic state

BY Mohammed ISA

**M**K.Gandhi had said, "The Hindu religion prohibits, cow slaughter for the Hindus, not for the world. The religious prohibition comes from within. Any imposition from without means compulsion. Such compulsion is repugnant to religion. India is the land not only of the Hindus but also the Muslims, the Sikhs, the Parsis, the Christians and the Jews and all those who claim to be Indians. If they can prohibit cow slaughter in India on religious grounds, why cannot the Pakistan government prohibit idol worship in Pakistan on similar grounds. I am not a temple goer. But if I were prohibited from going to a temple in Pakistan, I would make it a point to go there even at the risk of losing my head. Just as the Shariat cannot be imposed on non-Hindus."

The Bharatiya Janata Party government in New Delhi has restored the ban on cow slaughter by legislation. This has sparked off a controversy. Such a step is totally inconsistent with secularism and contravenes the basic structure of the Constitution. The ultimate implication of such a Bill is that it converts India into a theocratic state. It will also deprive the country of billions of dollars of foreign exchange which it gets through the export of hides and skins.

India is a secular state. But before the 42<sup>nd</sup> amendment, the term "secular" was not even used in the preamble. Nevertheless, the basic spirit of secularism was contained in the Constitution. The core of secularism in India is that it guarantees equal rights to practice one's own religion and prohibits discrimination on religious grounds. The State does not bother itself about the religious convictions of an individual, nor does it seek to promote any religion over any other.

The fundamentalist grouse is that although Hindus constitute the majority community in India, yet Hinduism is not the religion of India, nor are the Hindus entitled to any preferential treatment.

The Supreme Court has held that Articles 25 and 30 of the Constitution preserve the religious and linguistic rights of the minorities. Any attempt to tamper with those rights is "an act of breach of faith" and not permitted by the Constitution.

The ideal of secularism, however, has not been upheld by the State. A partisan attitude and the failure on its part to effectively implement constitutional safeguards have diluted the secular spirit of our polity.

Hinduism prohibits cow slaughter for Hindus.

Islam permits it for the Muslims. Besides the Muslims, there are millions of Christians and tribals who are engaged in trade and who take beef as their staple food. The question, therefore, is why should a secular State impose a total ban on cow slaughter, thus thrusting one of the basic tenets of Hinduism on those who do not practise that religion?

When the Constitution was being framed, pressure was put on the constituent assembly to include the ban on cow slaughter as a fundamental right. The idea was rejected and did not form part of the draft Constitution. It was ultimately included in Article 48 of the Constitution as a directive principle under the pretext of organizing agriculture and animal husbandry on modern and scientific lines.

The expert committee on the pre-vention of cow slaughter in India, appointed by the Central Government, submitted its report in 1955. After considering the matter in detail, the committee concluded that "a total ban on the slaughter of all cattle would not be in the best interest of the country." Strictly from the view point of agricultural economics, it would be impossible to justify a total ban on cow slaughter.

Gandhi was a devout Hindu and yet he yielded to Muslim sentiment on the issue of cow slaughter. In 1955, Jawaharlal Nehru even staked his prime ministerial position on the issue. In spite of all these assurances, the governments of Bihar, Uttar Pradesh and Madhya Pradesh passed legislation to ban cow slaughter.

In 1958, a petition was made to the Supreme Court to nullify the bills passed by the aforementioned states. There was a conflict between two religions. The apex court could have easily balanced the two interests and upheld the principle of secularism. There was a real need to guard against judicial subjectivity. It did save the cow, but at the cost of secularism.

The apex court, however, did criticise the fact that Hindu sentiment had to be placated by imposing a ban on cow slaughter. Referring to the decision, the court said that a total ban on the slaughter of female buffaloes, breeding or working bulls, but not a ban on their slaughter after they had ceased yielding milk or working as draught animals, Mr. D. E. Smith asks, "why was not the same criterion of usefulness applied to the question of the slaughter of cows?"

1.	Name of Paper	THE PIONEER	Dated : 3 MAY 1994
2.	Published at	CALCUTTA	

# The politics of meat

By SEEMA MUSTAFA,

*Social activist and*

*Janta Dal member*

It is ironic how a language, Urdu, and a food, meat have been turned by the archetypal politician into a 'Muslim' issue. A beautiful language indigenous to this soil, has been victimised by politicians of both colors – saffron and green – until it is all but wiped out of existence. And today political alignments are doing the same to meat with the slaughter house issue being twisted to assume proportions far outside the basic one of hygiene.

The other day I attended briefly a convention of Urdu scholars who had come from all over the country to discuss their problems. The inaugural session was dominated by politicians - two from the Congress and two from the Samajwadi Party - who used the platform to (hopefully) endear themselves to Muslims. Lengthy speeches dealt only with 'Muslims' and their 'problems' with one politician even going to the extent of saying how nice it felt to be amongst his own community! 'Urdu' for them, was clearly a synonym for 'Muslim' and yet another indication how successful the politicians have been in communalising this language.

Each time when sops are to be offered to Muslims by any Government in power, Urdu usually tops the list. And any time a Government, as the Bharatiya Janta Party in recent times, decides to target Muslims for special treatment, Urdu is amongst the first casualties.

For example Government advertisements were withdrawn from Urdu newspapers when the Bharatiya Janta Party was in power in Uttar Pradesh. Needless to say several newspapers had to close down in the State as a result.

The consequence of this has been the ghettoisation of a language which, in fact, should have served as a symbol of the secular ethos of this land.

So perhaps it is not surprising that the Urdu convention, rather than focussing on the problems encountered by Urdu newspapers and periodicals, became just a platform for highlighting various politicians attitudes towards the Muslim minority.

And now the attention has turned to meat. The not-so-subtle propaganda is that mutton is a Muslim food and all butchers in the country are from this minority community. The fact that in almost every colony market in New Delhi there are two shops offering 'halal' and 'jhatka' meat respectively has become a matter of unimportant detail.

## Three-edged sword

For in the public's perception, the Delhi Government has succeeded in projecting 'meat' as a muslim cuisine. The fact that the sizeable diplomatic community and the hotels in the Capital are the main consumers of this fairly expensive item is again a matter of detail which is easily ignored, not just by the Delhi Chief Minister, Madan Lal Khurana and his sympathizers, but also the media which has helped communalize the issue by projecting only the views of Muslims as a counter to the Government's position.

The fact that hundreds of persons are out of business and their families have little left to eat does not seem to be of concern. The fact that hundreds of farmers who have been rear- ing cattle for supply to the slaughter house are now with livestock that they do not have the money to feed, is again a trivial detail. The ille- gal slaughtering in and around Delhi, however, has evoked a reaction through detailed reports in newspapers and here again the impression gaining ground is that the majority of the consumers and butchers belong to the minority community.

In the midst of all this, the BJP Government has suddenly decided to maintain complete silence and

there is not even an indication of what – if anything – is being done to resolve the issue. Until then, the Government through inaction has decided to extend its dictat to even individual eating habits. The message clearly is : “eat potatoes not meat. Become a vegetarian.”

Linked to this is the cow slaughter issue. In Uttar Pradesh, the Bhartiya Janata Party when in power clearly demonstrated how skilfully this cow slaughter ban could be used to arrest and harass complete innocents. On the basis of FIRs filed by residents of one village against Muslims of another, the Bhartiya Janta Party used its police to terrorise hapless villagers, using even the MISA on occasions to arrest those against whom no evidence could be obtained.

The same can and will probably be done in Delhi, where the cow slaughter ban will serve as just another handle for the Bhartiya Janta Party to victimise the minorities. The ‘Bangladeshi’ issue, cow slaughter and mutton form the three-edged sword for the new Government in power to drive a wedge between the communities and mobilise opinion and support on frivolous issues which, unfortunately, are made to acquire dimensions of communal conflict.

### Breeding fascism

It is imperative that the slaughter house issue, like Urdu, is taken out of the communal framework and interpreted more as an individual’s right to speak the language he so chooses, and to eat the food he so desired. The Government’s role is limited to ensuring that the language is protected and encouraged as per the provisions of the Constitution, and that the food

is made available to the people in hygienic conditions. It is no one’s contention that the animals should be tortured or that an overcrowded slaughterhouse should continue functioning in completely unhygienic conditions. But one expects any government to ensure that the existing slaughterhouse is renovated, the number of animals restricted as per the court order and, most important, a sufficient number of slaughterhouses are opened so that the demand for mutton can be met under hygienic conditions. That no move has been made in this direction puts a big question mark over the Delhi Government’s intentions.

The gullibility of the so-called Muslim leaders also serves to compound the situation. The first to jump into the communal cauldron are the so-called Muslim leaders who make statements about the treatment meted out to the butchers. Just as they make statements about the discrimination meted out to Urdu with the gradual result that non-Muslims well versed in Urdu rarely speak out in defence of the language, a derivative of Sanskrit and Persian.

Meat, like Urdu, has little to do with a community and more to do with the general health of our society. Chauvinism, finding its sanction in communalism - or perhaps it is now the other way around - is trying to set new parameters for the people regardless of their tastes and habits, likes and dislikes.

Instead of providing the infrastructure where people can eat and live well, whether it be by eating mutton or reading Urdu poetry, governments unable and unwilling to answer the needs and aspirations of a society, take the fascist way out by dividing people into superior (vegetarian/Hindu) and inferior (non-vegetarian/Muslim) beings and using the argument to impose its own limited perceptions on society at large.

The idea being to create a state based on hate and populism an ideal breeding ground for fascism.

# Why this preferential treatment for cows?

## COUNTERPOINT

**Saifuddin Choudhury,**  
CPI-M, Member of Parliament

**T**his is basically a non-issue. Historically, there is no ground for saying that cow slaughter hinders a country's agriculture and dairy development. If modern and scientific methods of animal are adopted, we can breed any number of cows and can very well take care of our farm workers and needs, and above all produce cheap protein for the poorer sections.

Such methods would help the country's economy much more than the present move. If the slaughter issue is not turned into a major controversy, we can earn enough forex from beef exports to sail through a balance of payment crisis.

Of course, the concern among some 'right-thinking' people that animals of reproductive age should not be killed is understandable. But the question arises – what should be done with those animals who're past their prime? If cow slaughter is banned there should some voluntary organisation (VHP fits the bill perfectly) which can take care of over aged cows at their personal expenses on behalf of the country. India has far more pressing problems to tackle. But whoever does the job - the question is whether the country can provide enough fodder to feed such a swarming cowhead, once the ban is effected? Emotions cannot guide a modern social order, we have to adopt a more practical approach. If the prohibition has been prompted by the noble objective of stopping cruelty on animals, it is clear that their use in farms should also be banned.

How do you think the slaughter houses get the cows?. They don't actually go around stealing them. The milk-men and the farmers themselves sell off the cows when they cross productive stage and are no longer of much use. Basic economics guides them more than any sacred emotion. When people find it difficult to take care of the cattle who are we fighting for – old cows dominated by utilitarian norms, not for short, pseudo, hyper-humane considerations.

This is not to undermine the sentiments of a section of the population: I fully appreciate them. The people should refrain from acts which amount to an attack on the ingrained beliefs of a community and hurt their sentiments. But to exploit such sentiments to raise sectarian demands for political and communal gains should be condemned. And I hope fervently that this issue won't be blown up to such proportions that will lead to another round of sickening riots - where the word 'slaughter' assumes altogether different implications in India.

Why should there be a hue and cry over cow slaughter alone? Each and every animal that is slaughtered for meat- chicken, goat, sheep etc- has various other utilities. So why pick on the cow? If the cow is sacred for the Hindu, let it be known that the chicken is sacred for the Santhal. There's no breast-beating for that! Are the Santhals feelings any less important? Sadly, in our democracy, the tribal's chicken is not a sacred cow.

If a slaughter is against the interest of the country, the community affected most would rise in protest. The call for the ban would then come from the people and not from a government pursuing populist measures to hop-skip-jump over a myriad of genuine socio-economic crises.



TELEGRAPH, CALCUTTA, 10 OCT 1993

# Sins of the flesh

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Vegetarian fundamentalists put the lives of came over those of humans

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**T**here is a serious issue being raised by the Gujarat Government's recent ordinance banning cow slaughter in the state. This is whether a vegetarian majority can impose its dietary prejudices on a meat-eating minority.

Like most states Gujarat permits the slaughter of buffaloes and bulls for food but not that of cows. Buffalo meat forms a part of the diet of hundreds of thousands of Gujarati Muslims and Christians as it costs one-third the price of mutton or chicken.

The minorities should not be deprived of this meat because the chief minister, Mr. Chimanbhai Patel, wants to placate a vegetarian majority by extending the definition of cows to include buffaloes. Not only is it an imposition that violates democratic norms, it discriminates against the poor. In future the vegetarian could demand a total end to meat eating in the state. Mr. Patel would then presumably extend the ban on animal slaughter to include goats and poultry.

A citizen of Gujarat can successfully challenge the legality of Mr. Patel's ordinance in the Supreme Court on the ground that it violates his right to equality before law by depriving him of food availability to people in the rest of India.

The slaughter of buffaloes and bulls is permitted in nearly every Indian state and union territory. But cow slaughter is legal only in Kashmir, Kerala, Mizoram, Nagaland, Arunachal Pradesh and Meghalaya.

The irony of Mr. Patel's ordinance is that India exported meat and meat products worth Rs. 2.64 billion in the last financial year of which a fair chunk was buffalo flesh. There is no logic in allowing this meat to be consumed by Arabs and Iranians and not Gujarati Muslims and Christians. The animals are killed either way. What would then happen to

India's profitable leather industry should also be considered.

Muslims, Christians and Buddhists have a meat-eating tradition, which believes that the survival of one species demands the death of another. If god was against meat eating he would not have created lions and tigers who only live on animals flesh.

Meat eating does not make one cruel. Mother Teresa eats meat. Neither does vegetarianism make a person compassionate. Adolf Hitler was a vegetarian.

Vegetarianism lies so deep in the Hindu ethic that most devout Hindus abhor meat eating and have a largely emotional reaction against the act. This leads to the emotionality among Hindus. This is evident from the food Idiosyncracies of non-Vegetarian

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## BY ARVIND KALA

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Hindus. Some "vegetarian" Hindus, for instance, eat cake or pastry which has egg in it but will recoil from an egg when it is recognizable, boiled or fried.

Some Hindus will take gravy from a meat dish but not a piece of meat. More daring will nibble at a kebab, but still will not touch a piece of uncooked meat. Many Hindus of north India will eat mutton but not chicken. Others eat mutton and chicken but not pork because they consider pork unclean.

In some Hindu homes the wife will not cook meat but will permit the husband to bring cooked meat from outside. Many Hindu women give up eating meat after marriage. Many Hindu males in North India give it up when they get old, say 65. These idiosyncracies stem from the fact that Hindus consider meat eating sinful. Thus they will not cook it during religious festivals like Diwali or Holi or on social occasions like marriage.

Such food prejudices are fine except that they result in actions like Mr. Patel's ordinance.

# Vegetarian madness

By Arvind Kala

**C**an a vegetarian majority impose its food prejudices on a meat eating minority? This is the issue raised by the Gujarat government's ordinance banning 'cow' slaughter in the State.

I am putting cow in quotes because like most other Indian States, Gujarat permitted the slaughter of buffaloes and bulls for food but not that of cows. And this buffalo meat has been basic to the diet of lakhs of Gujarati Muslims and Christians because it costs one third as much as mutton or chicken.

Can they be deprived of this meat because Mr. Chimanbai Patel wants to placate a vegetarian majority extending the definition of cows to include buffaloes? Tomorrow, if these vegetarians were to demand doing away with meat eating in the State, would Chimanbai ban the slaughter of goats and poultry?

I think that a citizen of Gujarat can successfully challenge the legality of Mr Patel's ordinance in the Supreme Court. The ordinance violates his right to equality before the law by depriving him of a food available to people in the rest of India.

As far as I know, the slaughter of buffaloes and bulls is permitted presently in every Indian State and Union Territory, though cow slaughter is legal only in Kashmir, Kerala, Mizoram, Nagaland, Arunachal Pradesh and Meghalaya.

The irony of Mr Patel's ordinance is that India exported meat and meat products worth Rs.264 crore in the last financial year, of which a fair chunk was buffalo flesh.

What is the logic of allowing this meat to be eaten by the Arabs or the Iranians but not letting Gujarati Muslims and Christians eat it?

Seen in context, the Gujarat Government's ordinance stems from one unique feature of Hinduism. It is the world's only major religion which disapproves of meat eating, and the Hindus are the only religious group to be predominantly vegetarian because they believe it's cruel to eat meat.

The world's Muslims, Christians, Jews and Buddhists, however, have a meat eating tradition based on the belief that survival of one creature demands the death of another. And if God thought meat eating was wrong, why did he create the lions and tigers who can only live on animal flesh?

The truth is that meat eating doesn't make a person cruel because Mother Teresa eats meat. And vegetarianism doesn't make a person compassionate because Hitler was a vegetarian.

Yet the Hindus "Vegetarianism" goes so deep that he abhors meat eating. This is evident even from the food idiosyncrasies of the so-called non-vegetarian Hindus. Some "Vegetarian" Hindus, for instance, will eat piece of cake or pastry, which has egg in it, but will recoil from an egg when it is recognisable, boiled or fried.

## Annuxure I (21)

Paragraph 123

<http://alfa.nic.in/lsdeb/ls11/ses1/0224059601.htm>

### **XI LOK SABHA DEBATES, Session I Friday, May 24, 1996 / Jyaistha 3, 1918 (Saka)**

**Type of Debate:** MOTION OF THANKS ON THE PRESIDENT'S ADDRESS - LAID

**Title:** Regarding President's Address to both Houses of Parliament assembled together.

**Text:**

SECRETARY-GENERAL: I beg to lay on the Table a copy of the President's Address (in English and Hindi) to both Houses of Parliament assembled together on the 24th May, 1996.

#### **Extract from the Speech of the President**

PRESIDENT OF INDIA (DR. SHANKAR DAYAL SHARMA): Honourable Members:

1. It gives me great pleasure to address both Houses of Parliament at this first session after the eleventh general election to the Lok Sabha. I extend my warm felicitations to the Members of the new Lok Sabha.

.....

30. In order to ensure cow protection, and to impose a total ban on the slaughter of cows and cow progeny, Government will take up suitable measures.

.....

46. The country is faced with a number of crucial challenges as we stand on the threshold of the next century. The eleventh Lok Sabha will have the honour of contributing to the task of piloting the country to the next century.

47. My good wishes are with you in this historic task.

JAI HIND

1235 hours

**Relevant Extract of the Debate on the Vote of Thanks on President's Speech**

**XI LOK SABHA DEBATES, *Session I*  
Friday, May 24, 1996 / Jyaistha 3, 1918 (Saka)**

OBITUARY REFERENCES (The Members stood in silence for a short while.)

SHRI PRIYA RANJAN DASMUNSHI(HOWRAH): Mr. Speaker, Sir, I am rising on a specific point of order. Articles 86 and 87 of the Indian Constitution provide the right to the President to address both the Houses of Parliament and Rules 16 and 17 of the Rules of Procedure and Conduct of Business of Lok Sabha decisively decide the scope and opportunity for discussing and debating on the President's Address. Since that is not in the List of Business for the day, I would like to raise a very important matter here. A wrong signal had already gone to the entire nation today in the reference of the Presidential speech on the issue of cow protection and on matters relating to a very sensitive zone of the entire India. I personally feel that the Home Minister who is present here must categorically state that these things do not mean ban on cow slaughter. This includes a serious question on the country at this hour. Unless it is categorically clarified in the first moment of the Session...(Interruptions) Though articles 86 and 87 give the power to the President to address both the Houses of Parliament yet nothing should be said in contrary to the spirit of the Preamble to the Constitution which emphatically speaks of secular and democratic Government of the nation to perform within the parameters of the Constitution... (Interruptions)

KUMARI MAMATA BANERJEE(SOUTH CALCUTTA): Sir, I walked out of the President's Address in protest against this... (Interruptions)

SHRI PRIYA RANJAN DASMUNSHI: Sir, unless this is clarified, it would have a serious repercussion... (Interruptions)

KUMARI MAMATA BANERJEE: It is a question of secularism in this country... (Interruptions) India is a secular country... (Interruptions) In protest against this, I walked out of the President's Address... (Interruptions)

MR. SPEAKER : Well, hon. Members, a copy of the President's Address has just now been laid on the Table of the House.

KUMARI MAMATA BANERJEE: It is most unfortunate.

MR. SPEAKER: The Motion of Thanks on the President's Address would come and it is at that time, which would be an appropriate time to discuss about the President's Address.

.. (Interruptions)

SHRI PRIYA RANJAN DASMUNSHI: Sir, if something goes wrong, then they would have to take the responsibility... (Interruptions)

MR. SPEAKER: I have given the ruling. ... (Interruptions)

MR. SPEAKER: The Home Minister is here. He has noted it down. ... (Interruptions)

MR. SPEAKER: Hon. Members, I have an announcement to make. ... (Interruptions)

MR. SPEAKER: I have already given the ruling. ... (Interruptions)

MR. SPEAKER: Mamataji, I have already given my ruling. I have an important announcement to make. ... (Interruptions)



## ANNEX I (22)

Paragraph 125

### MEMORANDUM PRESENTED BY

**Honb'le Justice GUMAN MAL LODHA**  
**Chairman, Animal Welfare Board of India**

**To the Constitution Review Commission on 16-6-2000**

One fourth of the Cattle Population of the world is from India. It has got special significance in India as it is the backbone of agriculture and also Indian culture. Mahatma Gandhiji, father of our Nation, said "I hold that the question of cow slaughter is of great moment than that of Swaraj" "Cow slaughter and manslaughter are in my opinion two sides of the same coin."

2. Dr. Rajendra Prasad, Bal Gangadhar Tilak, Lala Lajpat Rai, Vinoba Bhave, Seth Gobind Das, Thakurdas Bhargav and several others echoed the same clarion call.

3. Dr. Rajendra Prasad got constituted the first expert committee named "Cattle Preservation and Development Committee" by a notification dated 19<sup>th</sup> November 1947. The resolution is as follows.

"It has been brought to the notice of the Government of India that a large number of cattle are annually slaughtered in this country for meat, that the slaughter is often indiscriminate, that it includes animals of all ages and qualities and that the slaughter results in shortage of milk and work bullocks and results in the depletion of the country's cattle wealth. There has been considerable agitation in the press, on the platform and on the floor of the legislatures in regard to this matter and Government has been urged to take immediate steps to prohibit slaughter by legislation. As this is a complicated socio-religious subject, the Government of India have, after careful consideration, decided to appoint an Expert Committee of officials and non-officials to consider the question in all its aspects and to recommend a comprehensive plan of action which can be put into immediate effect for the opinion of the expert committee as per report dated 6.11.1948 reads which as under:

*"The committee is of the opinion that slaughter of cattle is not desirable in India under any circumstances whatsoever and that its prohibition shall be enforced by law. The prosperity of India to a very large extent depends on her cattle and the soul of the country can feel satisfied only if cow slaughter is banned completely."*

4. Various recommendations were made for legislation for total prohibition of slaughter with its first stage in prohibiting useful cattle slaughter and others.

5. The Constituent Assembly debated the relevant articles. The highlight of the debate was that two Muslim members Shri Z.H.Lari pleaded for total prohibition of cow slaughter by incorporating it in Fundamental Rights. In his classification speech, he said, "my own submission to this House is that it is better to come forward and incorporate a clause in Fundamental Rights that cow slaughter is henceforth prohibited, rather than is being left vague in the Directive Principles, leaving it open to provincial Governments to adopt it in one way or the other"-

6. Another Muslim Member Syed Mohammad Saidulla of Assam said "In the Holy Quran, there is an injunction of the Muslims saying

"LA IKRABA FID DIN"

or there ought to be no compulsion in the name of religion. I therefore do not like to use my veto when my Hindu brethren want to place this matter in our Constitution from the religious point of view. I do not also want to obstruct the framers of our Constitution. I mean the Constituent Assembly if they come out in the open and say directly "This is part of our religion. The cow should be protected from slaughter and therefore we want its provision, either in the Fundamental Rights or in the Directive Principles."

7. Of course, various other speakers Dr. Raghu Vira, Mr. R.V. Dhulekar, Prof. Shibban Lal Saxena, Seth Govind Das, Pandit Thakur Das Bhargava etc. strongly supported prohibition of cow slaughter by a constitutional mandate.

8. In spite of Gandhi's injunction and Constituent Assembly's echo of it for providing complete prohibition with even the two Muslim leaders plea for bringing it in Fundamental Rights, this was vetoed by the so called secularist leaders who put it in the Directive Principles of State Policy and in the State list of VIIth Schedule.

9. Article 47 and Article 48 were enacted amongst Directive Principles which provided for preserving, improving and prohibiting the slaughter of cows and other milch and draught cattle.

10. A regular debate thereafter is going on whether bulls and bullocks are to be included in Article 48 and whether enactment of Article 51-A strengthens the argument of interpreting Article 48 to include all progeny of cow to be saved from slaughter.

11. However the Supreme Court in Mohd. Hanif Qureshi Vs. State of Bihar (AIR 1958 SC, 731) interpreted "Calves" to exclude bulls and bullocks.

Two important aspects of the Constitution have remained in a regular debate, both judicial and socio political.

- i) Whether the State laws can prohibit total cow slaughter and ban it, which means Bulls and Bullocks also?
- ii) Whether the Parliament can legislate and provide law to bind all States to prohibit cow slaughter even though it is in VIIth schedule?

12. The following judgement of the Supreme Court have debated these issues starting from 1958 Mohd. Hanif Qureshi Vs. State of Bihar and latest being Hashmatullah Vs. State of MP & Others (Civil Appeal No.8250 of 1996) decided on 10.5.1996 a little later to Ashutosh Lahri & Others Vs. State of West Bengal (AIR 1995 SC 464)

13. From Mohd. Hanif Qureshi to Ahustosh Lahri and Hashmatullah, one common theme and fundamental finding is that there is no mandate of Muslim religion to slaughter cow or eat its beef compulsorily any time, not even on Bakri Id.

14. The Supreme Court has repeatedly drawn attention of all to the fact that neither in the preaching and teaching of the Prophet Mohammed or any other Muslim treatise, cow slaughter has been made compulsory for Muslims. Contrary to it, the Supreme Court has drawn attention to the fact that most of the Muslim rulers Babar, Akbar, Humayun and even Aurangzeb completely prohibited cow slaughter during their regime in India.

15. Having said so, the Supreme Court found it difficult to enforce complete prohibition as it contained only in Directive Principles and there also the entire progeny of cow has not been mentioned and therefore bulls and bullocks are left out.

16. In addition to the above, the Supreme Court further held that all law regarding prohibition of slaughter of cow and calves are valid but uneconomic bulls and bullocks not only can be slaughtered but the butchers have got fundamental rights of doing business of slaughtering uneconomic bulls and bullocks.

17. The Madhya Pradesh High Court Judgement of Jabalpur which declared total ban as valid but in Hashmatullah's case when, after referring to Judgement of Mohd. Hanif Qureshi and Ors. Vs. The State of Bihar (AIR 1959 SCR 629) Abdul Hakim and others Vs. State of Bihar (AIR 1961 SC 448) and Mohd. Faruk Vs. State of Madhya Pradesh and Others (1970 (1) SCR 156) the Supreme Court held that-

"A total ban was not permissible if, under economic conditions, keeping a useless bull or bullock be a burden on the society and therefore not in the public interest."

18. The High Court then referred to statement made in a research paper published from Germany in 1987, which referred to the availability to the farmer of cattle dung for fuel and manure. It also referred to All India Statistics of 1989 published by CMIE which had suggested that there should be effective programme for conservation of soil and water and promotion of organic manure to safeguard and strengthen the ecological structure of agriculture. The High Court also referred to some other publications of different authors for the purpose of concluding that there was no acute shortage of cattle fodder and that it was better to use the cattle dung as a manure rather than using chemical fertilizers. It then came to the conclusion that bulls and bullocks were useful animals and the ban on the slaughter was in consonance with social interest. It also observed that it was the Court's duty to give harmonious construction to the Directive Principles and duties vis-à-vis the Fundamental Rights and Article 51-A (g) imposed the duty on every citizen "to have compassion for living creatures" and therefore, applying the rule of harmonious construction, the Amending Act of 1991 fell within the ambit of Article 19 (6) of the Constitution. The High Court accordingly upheld the validity of the Amending Act.



19. Congress Government and once by BJP Government. It is also noted without significance that when Patwa Government of BJP moved this amendment for the 4<sup>th</sup> time as the Supreme Court has put it. The M.P. Legislative Assembly passed it unanimously and all Congress Members supported it even after having the knowledge that three such attempts by the Congress Governments have been made unsuccessful by the Supreme Court.

20. It is equally important to note that the Gujarat legislation for similar amendment was passed by Chimanbhai Patel who again was a Congress leader and he rushed to Delhi to obtain the assent of the President overnight, in spite of earlier adverse judgement of Supreme Court and privileged, to get it because the whole of Gujarat would have been on fire if this amendment has not been made as per the strong public Popular wave for total ban after the murder of Geetaben while protecting cows in Ahmedabad.

21. The UP amendment of similar nature providing complete ban is still under the scrutiny of President.

22. The present economic revolution of use cow dung and cow urine for organic manure, medicines, pesticides, bio-gas and electricity made it possible to say that howsoever old, the cow progeny may be, cow dung and cow urine, make it economically viable to be kept and preserved. After the invention of NADEP by Nadeb Kaka for utilisation of cow dung for fertiliser, organic manure has done wonders in this field. The Animal Welfare Board of India and various other organisations are now proving that keeping cows progeny even if it becomes old and dry or unable to be used in cart are still economic and viable on the ground of high yield of income in fertilizers, medicines, bio-gas, and pesticides, produced by cow urine and cow dung .

23. It is therefore high time that the Government should move for consideration by the Commission, of the peoples mandate and demand a total cow slaughter prohibition by central legislation by inclusion in Fundamental Rights, instead of Directive Principles.

24. Since, at the movement, the VIIIth Schedule only permits the States to make laws, this subject will have to be include in the Central list or concurrent list. May I therefore request the Hon'ble Prime Minister, Home Minister, Agriculture Minister, Animal Welfare Minister and all Cabinet colleagues and all members of the Cabinet to consider the above Constitutional debate which is going on and include it in the Terms of Reference.

25. The Supreme Court while reversing this judgement held that this was the fourth attempt by M.P. Government to impose total ban on slaughter of bulls and bullocks even after they become old as the earlier Judgements based on economic uselessness of the old bull and bullock cannot hold good because cow dung and cow urine have been started producing fertiliser and medicines and therefore they are never uneconomic as their ability has grown was not accepted.

26. The Supreme Court held that the restriction on slaughter of bulls and bullocks imposed by Madhya Pradesh Amendment Act of 1991 imposed unreasonable restriction on the Fundamental Rights of the butchers to do the business of slaughter.

27. In the Supreme Court, Gujarat laws and Rajasthan laws are also under challenge on similar grounds.

28. It would thus be seen that there has been a regular attempt of the legislators who represent the people's view to put a total ban cow slaughter as there have been amendments again and again, 3-4 times as observed by Supreme Court itself and the Supreme Court every time has strucked them down on the basis of the Fundamental Right of butcher to slaughter so called uneconomic bulls and bullocks as the cow slaughter prohibition is in Directive Principles only and not in Fundamental Rights.

29. Here comes the relevancy of the two Muslim Members of Bihar & Assam, Syed Mohammed Saidulla and Z.H. Lari who in the Constituent Assembly, vehemently pleaded for inclusion of ban of cow slaughter completely in Fundamental Rights, instead of the Directive Principles.

30. Now that the Venkatachalaiah Commission has been appointed to have a look of the working of the Constitution for last 50 years and find out those provisions which require rethinking and review, the best thing would be to put up, before the Parliament this conflict which is going on for the last 50 years between peoples will and the Constitutional limitation which has always crushed it judicial process. It may be mentioned that the four attempts of amendments in M.P. shows that there was no politicking in it as three times they were made by.

31. Before parting with, I may mention that on 25<sup>th</sup> of May 1996 most of the members of this Cabinet through the Hon'ble President Shri Shankar Dayal Sharma did mention in the Presidential Speech that the Government would take steps for providing complete prohibition of slaughter of cow and its progeny.

32. So far as the NDA is concerned, there is no specific mention either way, affirmative or negative, in the manifesto but at page No.4 in Point 4, it has been mentioned that special efforts would be made for protecting cow and its progeny for agriculture welfare and resulting in removal of unemployment and providing employment. The exact words are as under :

**"Special efforts will be made in animal husbandry, and dairying, particularly in respect of cow and its progeny"**

33. So far as other political parties are concerned, none of the political parties have in their manifesto or otherwise said anything to the contrary. Thus the importance of this representation is that the Government may take prompt consideration of the above issues and precisely refer the issue whether prohibition of slaughter of cow and its progeny should be made mandatory by its inclusion in Fundamental Rights.

TABLE 30: LIVESTOCK POPULATION—1951-92—ALL INDIA - SPECIEWISE

( In Million Numbers )

Species	1951	1956	1961	1966	1972	1977	1982	1987	1992
1. Cattle	155.30	158.70	175.60	176.20	178.30	180.00	192.45	199.69	204.58
2. Adult Female Cattle	54.40	47.30	51.00	51.80	53.40	54.60	59.21	62.07	64.36
3. Buffalo	43.40	44.90	51.20	53.00	57.40	62.00	69.78	75.97	84.21
4. Adult Female Buffalo	21.00	21.70	24.30	25.40	28.60	31.30	32.50	39.13	43.81
5. Total Bovines	198.70	203.60	226.80	229.20	235.70	242.00	262.36	275.82	289.00
6. Sheep	39.10	39.30	40.20	42.40	40.00	41.00	48.76	45.70	50.78
7. Goat	47.2	55.4	60.9	64.6	67.5	75.6	95.25	110.21	115.28
8. Horses & ponies	1.50	1.50	1.30	1.10	0.90	0.90	0.90	0.80	0.82
9. Camels	0.60	0.80	0.90	1.00	1.10	1.10	1.08	1.00	1.03
10. Pigs	4.40	4.90	5.20	5.00	6.90	7.60	10.07	10.63	12.79
11. Mules	0.06	0.04	0.05	0.08	0.08	0.09	0.13	0.17	0.19
12. Donkeys	1.30	1.10	1.10	1.10	1.00	1.00	1.02	0.96	0.97
13. Yak	NC	NC	0.02	0.03	0.04	0.13	0.13	0.04	0.06
14. Total Livestock	292.80	306.60	335.40	344.10	353.60	369.00	419.59	445.29	470.86
15.Poultry	73.50	94.80	114.20	115.40	138.50	159.20	207.74	275.32	307.07
16.Dogs	NC	NC	NC	NC	NC	NC	18.54	17.95	21.77

NC : Not Collected

— Total Livestock excludes Mules & Yaks

Source: Livestock Census , Directorate of Economics & Statistics , M/O Agriculture

**TABLE 31: GROWTH PATTERN OF LIVESTOCK  
POPULATION—1951-92—ALL INDIA**

Annual Growth rates (%)

Species	1951-56	1956-61	1961-66	1966-72	1972-77	1977-82	1982-87	1987-92
1. Cattle	0.43	2.04	0.07	0.24	0.19	1.35	0.74	0.49
2. Adult Female Cattle	-2.76	1.52	0.31	0.61	0.45	1.63	0.95	0.73
3. Buffalo	0.68	2.66	0.69	1.61	1.55	2.39	1.71	2.08
4. Adult Female Buffalo	0.66	2.29	0.89	2.40	1.82	0.76	3.78	2.29
5. Total Bovines	0.49	2.18	-0.21	0.56	0.53	1.63	1.01	0.94
6. Sheep	0.10	0.45	1.07	-1.16	0.50	3.53	-1.29	2.13
7. Goat	3.26	1.91	1.19	0.88	2.29	4.73	2.96	0.90
8. Horses & ponies	0.00	-2.82	-3.29	-3.93	0.00	0.00	-2.33	0.50
9. Camels	5.92	2.38	2.13	1.92	0.00	-0.37	-1.53	0.59
10. Pigs	2.18	1.20	-0.78	6.65	1.95	5.79	1.09	3.77
11. Mules	-7.79	4.56	9.86	0.00	2.38	7.63	5.51	2.25
12. Donkeys	-3.29	0.00	0.00	-1.89	0.00	0.40	-1.21	0.21
13. Yak			8.45	5.92	26.58	0.00	-21.00	8.45
14. Total Livestock	0.93	1.81	0.51	0.55	0.86	2.60	1.20	1.12
15. Poultry	5.22	3.79	0.21	3.72	2.82	5.47	5.79	2.21
16. Dogs							-0.64	3.93

Source: Basic Animal Husbandry Statistics, 1999, published by DAHD – page 52

**TABLE 32: RESULTS OF LIVESTOCK CENSUS—ALL INDIA**  
(1987 & 1992)

(Numbers in thousands)

Category	1987			1992			Annual Growth
	Rural	Urban	Total	Rural	Urban	Total	(1987-92)
I. CATTLE							
A. Cattle(cross-bred)							
1. Male							
(i) under 1 year	703	77	829	1027	130	1157	6.89
(ii) 1-2.5 years	567	53	666	798	81	879	5.71
(iii) Over 2.5 years							
(a) used for breeding only	390	21	415	156	19	175	-15.86
(b) used for work only	1655	63	1796	1981	119	2100	3.18
(c) used both for work and breeding	120	13	155	230	26	256	10.56
(d) used for neither breeding nor work	74	8	86	83	8	91	1.14
Total cross bred male cattle	3509	235	3951	4275	383	4658	3.35
2. Female							
(i) under 1 year	1256	175	1490	1869	289	2158	7.69
(ii) Under 1-2.5 years	1144	142	1361	1681	225	1906	6.97
(iii) Over 2.5 years							
(a) in milk	2392	359	2878	3448	563	4011	6.86
(b) dry	1068	133	1235	1578	203	1781	7.60
(c) not yet calved	346	48	423	501	74	575	6.13
(d) others	66	8	74	110	16	126	11.23
Total cross bred female cattle	6273	865	7462	9187	1369	10556	7.19
Total cross-bred cattle	9782	1100	11413	13462	1753	15215	5.92

**B. Cattle (Indigenous)****1. Male**

(i) under 1 year	10054	314	10524	10438	394	10832	0.58
(ii) 1-3 years	13727	338	14247	13816	423	14239	-0.01
(iii) Over 3 years							
(a) used for breeding only	13812	80	13911	9447	595	10042	-6.31
(b) used for work only	47960	1028	49534	51602	1283	52885	1.32
(c) used both for work and breeding	6776	193	7103	7768	222	7990	2.38
(d) used for neither breeding nor work	1579	75	1662	906	44	950	-10.58
Total male indigenous	93908	2028	96981	93977	2961	96938	-0.01

**2. Female**

(i) under 1 year	13664	562	14413	14209	715	14924	0.70
(ii) 1-3 years	18651	555	19426	18852	787	19639	0.22
(iii) Over 3 years							
(a) in milk	25387	1110	26940	26145	1406	27551	0.45
(b) dry	24110	678	25034	23590	860	24450	-0.47
(c) not yet calved	4163	163	4418	4145	167	4312	-0.48
(d) others	1034	31	1070	1507	48	1555	7.76
Total female indigenous	87009	3099	91301	88448	3983	92431	0.25
<b>Total indigenous cattle</b>	<b>180917</b>	<b>5127</b>	<b>188282</b>	<b>182425</b>	<b>6944</b>	<b>189369</b>	<b>0.12</b>
<b>Total cattle</b>	<b>190699</b>	<b>6227</b>	<b>199695</b>	<b>195887</b>	<b>8697</b>	<b>204584</b>	<b>0.48</b>

Source: Basic Animal Husbandry Statistics, published by DAHD – page 53

# ANNEX I (25)

Paragraph 148

**TABLE 35: TOTAL NUMBER OF CROSSBRED CATTLE —  
1987 & 1992 — SERVICE AND STATEWISE**

(In thousands)

Sl. No.	State/U.T.s	Crossbred Cattle						Annual Growth Rate(%)	
		Male		Female		Total		Crossbred	Total
		1987	1992	1987	1992	1987	1992	Female 1987-92	Crossbred 1987-92
1.	Andhra Pradesh	131	108	259	376	390	484	7.74	4.41
2.	Arunachal Pradesh	11	10	11	9	22	19	-3.93	-2.89
3.	Assam	65	95	163	230	228	325	7.13	7.35
4.	Bihar	80	92	93	99	173	191	1.26	2.00
5.	Gujarat	30	37	132	196	162	233	8.23	7.54
6.	Goa	1	-	4	6	5	-	8.45	-
7.	Haryana	82	137	160	280	242	417	11.84	11.50
8.	Himachal Pradesh	58	84	102	197	160	281	14.07	11.92
9.	Jammu & Kashmir	203	368	324	425	527	793	5.58	8.52
10.	Karnataka	123	148	596	478	719	626	-4.32	-2.73
11.	Kerala	198	204	1503	1555	1701	1759	0.68	0.67
12.	Madhya Pradesh	34	64	74	144	108	208	14.24	14.01
13.	Maharashtra	-	385	-	1388	-	1773	-	-
14.	Manipur	32	28	33	43	65	71	5.44	1.78
15.	Meghalaya	5	1	14	14	19	15	0.00	-4.62
16.	Mizoram	1	1	4	5	5	6	4.56	3.71
17.	Nagaland	26	54	48	77	74	131	9.91	12.10
18.	Orissa	161	172	402	428	563	600	1.26	1.28
19.	Punjab	447	448	1132	1180	1579	1628	0.83	0.61
20.	Rajasthan	10	20	63	101	73	121	9.90	10.63
21.	Sikkim	18	19	25	26	43	45	0.79	0.91
22.	Tamil Nadu	348	475	793	1364	1141	1839	11.46	10.02
23.	Tripura	14	30	47	78	61	108	10.66	12.10
24.	Uttar Pradesh	1668	1449	918	1049	2586	2498	2.70	-0.69
25.	West Bengal	195	220	517	740	712	960	7.44	6.16
26.	Andaman & Nicobar	1	0	2	1	3	1	-12.94	-19.73
27.	Chandigarh	1	-	4	5	5	-	4.56	-
28.	D & N Haveli	-	-	1	-	-	-	-	-
29.	Delhi	1	1	3	12	4	13	31.95	26.58
30.	Lakshadweep	-	-	-	-	-	-	-	-
31.	Pondicherry	7	9	35	51	42	60	7.82	7.39
32.	Daman & Diu	-	-	-	-	-	-	-	-
All India		3951	4658	7462	10557	11413	15215	7.19	5.92

Note: 1. Totals may not tally due to rounding up of figures

2. '-' is less than thousand figure

3. Up to 1987 Daman & Diu is included in Goa

Source: Directorate of Economics & Statistics, M/O Agriculture

From Basic Animal Husbandry Statistics, 1999 publishes by DAHD, p.60

**ANNEX I (26)**  
Paragraph 148

**TABEL 36: TOTAL NUMBER OF INDIGENOUS CATTLE —  
1987 & 1992 — STATEWISE**

(In thousands)

S. No. State / UT

	Indigenous Cattle						Total Cattle		Annual Growth Rate(%)		
	Male		Female		Total		1987	1992	Indigenous	Total	Total
	1987	1992	1987	1992	1987	1992			Female	Indigenous	Cattle
									1987-92	1987-92	1987-92
1. Andhra Pradesh	6620	6107	5365	4355	11985	10462	12375	10946	-4.09	-2.68	-2.42
2. Arunachal Pradesh	140	165	148	140	288	305	310	324	-1.11	1.15	0.89
3. Assam	3699	4932	3352	4881	7051	9793	7279	10118	7.72	6.79	6.81
4. Bihar	10839	11519	9827	10444	20666	21963	20839	22154	1.23	1.22	1.23
5. Gujarat	3478	3540	2600	3031	6078	6571	6240	6804	3.12	1.57	1.75
6. Goa	58	50	49	42	107	92	112	98	-3.04	-2.98	-2.64
7. Haryana	938	801	1018	918	1956	1719	2198	2136	-2.05	-2.55	-0.57
8. Himachal Pradesh	1110	990	974	894	2084	1884	2244	2165	-1.70	-2.00	-0.71
9. Jammu & Kashmir	1045	1061	1193	1201	2238	2262	2765	3055	0.13	0.21	2.01
10. Karnataka	4537	6155	4918	6392	9455	12547	10174	13173	5.38	5.82	5.30
11. Kerala	308	318	1399	1447	1707	1765	3408	3524	0.68	0.67	0.67
12. Madhya Pradesh	14903	15102	13538	13378	28441	26480	28549	28688	-0.24	0.03	0.10
13. Maharashtra	8832	8736	8147	6937	16979	15673	16979	17446	-3.16	-1.59	0.54
14. Manipur	457	417	248	231	705	648	770	719	-1.41	-1.67	-1.36
15. Meghalaya	271	290	297	330	568	620	587	635	2.13	1.77	1.58
16. Mizoram	16	20	29	33	45	53	50	59	2.62	3.33	3.37
17. Nagaland	54	87	75	114	129	201	203	332	8.73	9.28	10.34
18. Orissa	6748	6875	6325	6366	13073	13241	13636	13841	0.13	0.26	0.30
19. Punjab	621	620	630	661	1251	1281	2830	2909	0.97	0.48	0.55
20. Rajasthan	4355	4540	6492	7038	10847	11578	10920	11699	1.63	1.31	1.39
21. Sikkim	67	73	74	80	141	153	184	198	1.57	1.65	1.48
22. Tamil Nadu	3952	3352	4249	4087	8201	7439	9342	9278	-0.77	-1.93	-0.14



23. Tripura	365	400	401	441	766	841	827	949	1.92	1.89	2.79
24. Uttar Pradesh	14122	13212	9612	9925	23734	23137	26320	25635	0.64	-0.51	-0.53
25. West Bengal	9368	7510	10231	8983	19599	16493	20311	17453	-2.57	-3.39	-2.99
26. Andaman & Nicobar	19	20	24	29	43	49	46	50	3.86	2.65	1.68
27. Chandigarh	1	-	1	-	2	0	7	5	-100.00	-100.00	-6.51
28. D & N Haveli	26	30	20	19	46	49	47	49	-1.02	1.27	0.84
29. Delhi	16	1	33	27	49	28	53	41	-3.93	-10.59	-5.00
30. Lakshadweep	-	-	1	2	1	2	1	2	14.87	14.87	14.87
31. Pondicherry	16	9	31	21	47	30	89	90	-7.49	-8.59	0.22
32. Daman & Diu	-	6	-	2	-	8	0	8	-	-	-
All India	96981	96938	91301	92429	188282	189367	199695	204583	0.25	0.11	0.48

Note: 1. Totals may not tally due to rounding up of figures

2. '-' is less than thousand figure

3. Up to 1987 Daman & Diu is included in Goa

Source: Directorate of Economics & Statistics, M/O Agriculture

From Basic Animal Husbandry Statistics, 1999, published by DAHD, p.61



# ANNEX I (27)

Paragraph 148

TABLE 41: WORK ANIMALS POPULATION — 1987 & 1992 — Statewise

(In thousands )

State/U.T.s	CATTLE				BUFFALO		Total Bovines		Annual Growth
	Crossbred		Indigenous		1987	1992	1987	1992	Rate in % per annum
	1987	1992	1987	1992					
1. Andhra Pradesh	85	67	4977	4973	849	605	5911	5645	-0.92
2. Arunachal Pradesh	4	5	76	98	2	1	82	104	4.87
3. Assam	12	19	2372	3102	198	228	2582	3349	5.34
4. Bihar	60	68	513	545	791	869	1364	1482	1.67
5. Gujarat	13	13	2766	2814	38	41	2817	2868	0.36
6. Goa	-	-	40	35	8	7	48	42	-2.64
7. Haryana	31	42	595	477	155	217	781	736	-1.18
8. Himachal Pradesh	39	56	840	775	93	3	972	834	-3.02
9. Jammu & Kashmir	100	228	680	678	36	55	816	961	3.33
10. Karnataka	49	64	3431	4515	209	265	3689	4844	5.60
11. Kerala	19	20	120	124	94	85	233	229	-0.35
12. Madhya Pradesh	10	19	10207	10303	290	1306	10507	11628	2.05
13. Maharashtra	0	142	6456	6606	303	284	6759	7032	0.80
14. Manipur	12	12	320	305	41	28	373	345	-1.55
15. Meghalaya	2	-	143	73	9	10	154	83	-11.63
16. Mizoram	-	-	5	6	1	1	6	7	3.13
17. Nagaland	3	14	8	30	3	9	14	53	30.51
18. Orissa	52	59	4609	4996	605	613	5266	5668	1.48
19. Punjab	-	209	-	448	-	130	-	787	-
20. Rajasthan	3	5	2940	2913	90	78	3033	2996	-0.25
21. Sikkim	2	2	20	-	-	-	22	2	-38.10
22. Tamil Nadu	193	240	2801	2380	149	20	3143	2640	-3.43
23. Tripura	4	7	231	229	5	5	240	241	0.08

24. Uttar Pradesh	1256	1009	10419	9488	2027	1895	13702	12392	-1.99
25. West Bengal	0	52	2027	4914	628	595	2655	5561	15.94
1. A & N Islands	0	0	8	13	3	5	11	18	10.35
2. Chandigarh	-	-	-	-	-	-	-	-	-
3. D & N Haveli	-	-	21	25	1	1	22	26	3.40
4. Delhi	-	-	1	-	5	1	6	1	-30.12
5. Lakshadweep	-	-	-	-	-	-	-	-	-
6. Pondicherry	2	4	11	7	0	0	13	11	-3.29
7. Daman & Diu	-	-	-	3	-	-	-	-	-
All India	1951	2356	56637	60875	6633	7357	65221	70588	1.59

Note: 1. Totals may not tally due to rounding up of figures

Source: Directorate of Economics & Statistics, M/O Agriculture

From Basic Animal Husbandry Statistics 1999, published by DAHD, p.66



**ANNEX I (28)**

Paragraph 148

**GROWTH OF CATTLE POPULATION OF INDIA  
STATE-WISE FIGURES based on 1992 and 1997 Livestock Census**

(In thousands)

	1992	1997	Growth 97 over 92	% Variation 97 over 92
1. Andhra Pradesh	10946	10602	-344	-3.14
2. Arunachal Pradesh	324	453	129	39.81
3. Assam	10118	8000	-2118	-20.93
4. Bihar (including Jharkhand) @	22154			
5. Gujarat	6804	6749	-55	-0.80
6. Goa	98	88	-10	-10.20
7. Haryana	2136	24000	264	12.35
8. Himachal Pradesh	2165	2095	-70	-3.23
9. Jammu & Kashmir	3055	3175	120	3.92
10. Karnataka	13173	10831	-2342	-17.77
11. Kerala	3524	3396	-128	-3.63
12. Madhya Pradesh (including Chattisgarh)	28688	28349	-339	-1.18
13. Maharashtra	17446	18072	626	3.58
14. Manipur	719	508	-211	-29.34
15. Meghalaya	635	738	103	16.22
16. Mizoram	59	33	-26	-44.06
17. Nagaland	332	383	51	15.36
18. Orissa	13841	13810	-31	-0.22

19.	Punjab	2909	2639	-270	-9.28
20.	Rajasthan	1699	12141	442	3.77
21.	Sikkim	198	143	-55	-27.77
22.	Tamil Nadu	9278	9047	-231	-2.48
23.	Tripura	949	1228	279	29.39
24.	Uttar Pradesh (including Uttaranchal)	25635	22047	-3588	-13.99
25.	West Bengal &	17453	17832	379	2.17
26.	Andaman & Nicobar	50	60	10	20
27.	Chandigarh	5	7	2	40
28.	D & N Haveli	49			
29.	Delhi	41	96	55	134.14
30.	Lakshadweep	2	3	1	50
31.	Pondicherry	90	123	33	36.66
32.	Daman & Diu @	8	5	-3	-37.5
All India		204583			
All India sub-total *		182380	175053	-7327	-4.017

@ Census work not initiated in these States / UTs

& Based on 1996 census data

\* Total excludes States where census has not been conducted.

**ANNEX I (29)**  
Paragraphs 151& 152

**TABLE 103: WORLD LIVESTOCK POPULATION - 1990-1997** (Million number)

	Year							
	1990	1991	1992	1993	1994	1995	1996	1997
<b>Cattle</b>	1284.6	1284.0	1281.4	1284.9	1296.9	1322.0	1337.7	1333.6
<b>Buffaloes</b>	146.1	147.1	147.5	148.2	149.6	158.9	162.7	166.7
<b>Sheep</b>	1186.9	1167.8	1133.4	1102.2	1089.7	1078.2	1069	1064.1
<b>Goats</b>	573.9	578.5	581.3	595.5	613.2	641.0	676.6	703.4
<b>Pigs</b>	855.3	863.1	864.7	874.3	883.4	901.2	924	936.9
<b>Horses</b>	60.7	61.1	60.7	61.0	60.7	61.9	61.8	61.7
<b>Mules</b>	14.8	15	15	15.0	14.9	14.8	14.7	14.7
<b>Asses</b>	43.4	43.6	43.7	43.7	43.7	43.7	43.3	43.3
<b>Camels</b>	18.8	17.9	18.6	19.0	19.0	19.2	19.3	19.5
<b>Chickens</b>	10.6	11.0	11.5	11.9	12.5	12.9	13.6	14.2
<b>Ducks</b>	0.5	0.6	0.7	0.7	0.7	0.8	0.8	0.9

Source:FAO Production Year Book 19997 & FAOSTAT - Website

**TABLE 104: WORLD ESTIMATES OF MILK PRODUCTION - 1985 TO 1997** (Million tonnes)

Year	Cow	Buffalo	Goat	Sheep	Total	India to World
1985	462.2 (91.7)	34.2 (6.8)	7.6 (1.5)	0 (0.0)	504 (100.0)	44 (8.7)
1986	463.5 (91.3)	36 (7.1)	7.9 (1.6)	0 (0.0)	507.4 (100.0)	46.1 (9.1)
1987	460.6 (90.8)	38.4 (7.6)	8.2 (1.6)	0 (0.0)	507.2 (100.0)	46.7 (9.2)
1988	466.2 (89.3)	39 (7.5)	8.5 (1.6)	8.6 (1.6)	522.3 (100.0)	48.4 (9.3)
1989	470.6 (88.9)	40.1 (7.6)	9.5 (1.8)	8.9 (1.7)	529.1 (100.0)	51.4 (9.7)
1990	482.4 (89.0)	41.4 (7.7)	9.9 (1.8)	8.2 (1.5)	541.9 (100.0)	55 (10.1)
1991	472.8 (88.5)	43.9 (8.2)	9.8 (1.8)	8 (1.5)	534.5 (100.0)	58.4 (10.9)
1992	462.8 (87.9)	45.8 (8.7)	10.2 (1.9)	7.9 (1.5)	526.7 (100.0)	62.6 (11.9)
1993	463.58 (87.9)	46 (8.7)	9.9 (1.9)	7.7 (1.5)	527.18 (100.0)	61 (11.6)
1994	464.38 (87.5)	48.3 (9.1)	9.9 (1.9)	7.9 (1.5)	530.48 (100.0)	63 (11.9)
1995	464.4 (87.5)	48.3 (9.1)	9.9 (1.9)	7.9 (1.5)	530.5 (100.0)	66 (12.4)
1996	467 (86.6)	53.6 (9.9)	10.4 (1.9)	8.1 (1.5)	539.1 (100.0)	69.5 (12.9)
1997	471.8 (86.3)	55.9 (10.2)	10.6 (1.9)	8.4 (1.5)	546.7 (100.0)	72.0 (13.2)

Note: Figures in brackets show percentages

Source:FAO Production Year Book 1997 & FAOSTAT - Website

# ANNEX I (30)

## Paragraph 153

**TABLE 105: PRODUCTION OF COW MILK BY MAJOR COUNTRIES OF THE WORLD - 1992 -1997**

(million tonnes)

Country	Production							Percentage share to World Total				
	1992	1993	1994	1995	1996	1997	1992	1993	1994	1995	1996	1997
Canada	7.63	7.50	7.75	7.92	7.89	7.80	1.6	1.6	1.7	1.7	1.7	1.7
Mexico	7.20	7.66	7.55	7.63	7.82	8.09	1.6	1.7	1.6	1.6	1.7	1.7
Germany	27.99	28.10	27.87	28.61	28.70	28.80	6.0	6.1	6.0	6.1	6.1	6.1
Italy	10.90	10.65	10.67	11.26	10.70	10.20	2.4	2.3	2.3	2.4	2.3	2.2
Netherlands	10.91	10.95	10.87	10.90	11.20	11.20	2.4	2.4	2.3	2.3	2.4	2.4
Brazil	15.78	15.59	16.70	17.00	18.30	19.10	3.4	3.4	3.6	3.6	3.9	4.0
United Kingdom	14.70	14.74	14.90	14.80	14.80	14.20	3.2	3.2	3.2	3.2	3.2	3.0
Poland	13.15	12.64	12.22	11.64	11.70	12.10	2.8	2.7	2.6	2.5	2.5	2.6
India	29.40	30.60	31.00	32.00	33.50	34.50	6.4	6.6	6.7	6.9	7.2	7.3
France	25.74	25.32	25.32	25.44	25.11	24.92	5.6	5.5	5.5	5.5	5.4	5.3
U.S.A.	68.44	68.30	69.70	70.52	70.00	71.07	14.8	14.7	15.0	15.1	15.0	15.1
USSR*	47.17	46.30	41.95	39.10	35.45	34.00	10.2	10.0	9.0	8.4	7.6	7.2
Other countries	183.76	185.23	187.82	189.32	191.82	195.85	39.7	40.0	40.4	40.6	41.1	41.5
World	462.78	463.58	464.4	466.2	467.0	471.8	100.0	100.0	100.0	100.0	100.0	100.0

Source:FAO Production Year Book 1992-1997

\* 1997 data relates to Russian Federation

**PRODUCTION OF BUFFALO MILK BY MAJOR COUNTRIES OF THE WORLD - 1992 -1997**

(Million tonnes)

Country	Production							Percentage share to World Total				
	1992	1993	1994	1995	1996	1997	1992	1993	1994	1995	1996	1997
Egypt	1.42	1.56	1.58	1.36	1.37	1.38	3.1	3.4	3.3	2.7	2.6	2.5
China	2	2.04	2.10	2.20	2.20	2.20	4.4	4.4	4.3	4.3	4.1	3.9
Pakistan	11.88	12.55	13.25	13.98	14.80	15.58	25.9	27.3	27.4	27.5	27.6	27.9
India	29.25	28.57	30.11	32.02	33.93	35.93	63.8	62.2	62.3	63.0	63.3	64.4
Other countries	1.28	1.24	31.37	33.26	35.23	36.64	2.8	2.7	65.0	65.5	65.7	65.7
World	45.84	45.95	48.30	50.80	53.60	55.80	100.0	100.0	100.0	100.0	100.0	100.0

Source:FAO Production Year Book 1992-1997

From Basic Animal Husbandry Statistics, 1999, page 145

## ANNEX I (31)

Paragraph 154

**TABLE 29: ESTIMATES OF LIVESTOCK & LIVESTOCK SLAUGHTERED - 1996 TO 1998**

	(In '000s)		
	1996	1997	1998
<u>Cattle</u>			
Stocks	211191	213226	215421
Slaughtered	13516	13646	13787
<u>Buffaloes</u>			
Stocks	91848	93914	96047
Slaughtered	10131	10359	10594
<u>Sheep</u>			
Stocks	55876	57326	58606
Slaughtered	16774	17158	17570
<u>Goats</u>			
Stocks	123807	126565	129599
Slaughtered	47034	48069	49222
<u>Pigs</u>			
Stocks	16249	17316	18455
Slaughtered	13607	14495	15477
<u>Piglets</u>			
Slaughtered	12411	12879	13364

Note1: Livestocks stock is the projected population based on Livestock census of 1987 & 1992

Note2: Livestock slaughtered is based on estimated population and applying estimated rates of slaughtering of FAO.

From Basic Animal Husbandry Statistics 1999, page 46



**ANNEX I (32)**

Paragraph 154

**TABLE 27: MEAT PRODUCTION— 1976 to 1997 - ALL INDIA**

(000 Tonnes)

Year	Beef & Veal	Buffalo Meat	Mutton & Lamb	Goat Meat	Pig Meat	Poultry Meat
1976	70	116	117	273	60	103
1981	78	127	125	277	75	120
1982	80	130	132	298	80	130
1983	80	132	134	302	80	137
1984	149	148	135	346	82	150
1985	150	152	141	358	85	161
1986	160	163	147	370	86	180
1987	239	207	162	380	80	193
1988	232	290	148	378	357	225
1989	845	936	160	385	359	289
1990	1271	1048	173	410	360	334
1991	1185	1176	168	455	364	362
1992	1216	1182	167	456	397	382
1993	1276	1182	169	466	403	454
1994	1292	1204	171	470	408	507
1995	1365	1351	194	450	420	479
1996	1370	1382	218	454	514	479
1997	1378	1403	222	458	533	527

Source : FAO Production Year Books

Note: Data Shown in the table relate to animal slaughtered within national boundaries irrespective of their origin

**ANNEX I (33)**

Paragraph 158

**TABLE 110:  
FAO STATISTICS PERTAINING TO MILK PRODUCTION AND PER CAPITA  
AVAILABILITY OF MILK - 1997**

Country	Total Milk Prod. (Million MT) 1997	Population (Million) 1997	Per Capita Availability of Milk (g/day)
New Zealand	11.13	3.64	8377
Denmark	4.43	5.25	2312
Netherlands	11.19	15.66	1958
Switzerland	4.66	7.28	1754
Australia	9.30	18.25	1396
Canada	7.80	29.94	714
USA	71.07	271.65	717
United Kingdom	14.16	58.43	664
Israel	1.17	5.78	555
Turkey	10.76	62.77	470
Pakistan	20.96	143.83	399
Mexico	8.21	94.28	239
India*	72.00	960.18	205
Japan	8.64	125.64	188
Iran	4.89	71.52	187
Nepal	1.08	22.59	131
Bangladesh	2.16	122.01	49
China	10.49	1243.94	23
Myanmar	0.58	46.77	34
Iraq	0.34	21.18	44
World	546.64	5848.70	256

Based on information received from State Deptt. of Animal Husbandry

Source: FAO Production Year Book-1997

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\* गोरक्षा-आन्दोलनका संक्षिप्त इतिहास \*

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## गोरक्षा-आन्दोलनका संक्षिप्त इतिहास

( प्रो० श्रीविहारीलालजी टंडिया एम०ए० )

गोवंश सदैवसे भारतीय धर्म, कर्म एवं संस्कृति-सभ्यताका मूलाधार रहा है। कृषि-प्रधान देश होनेसे गोवंश भारतीय अर्थ-व्यवस्थाका भी स्रोत रहा है। भारतीय स्वतन्त्रता-संग्रामके अमर सेनानियों—लोकमान्य बालगंगाधरजी तिलक, महामना मालवीय, गोखले प्रभृतिने यह स्पष्ट घोषणा की थी कि 'स्वराज्य मिलते ही गोवध तुरंत बंद कर दिया जायगा।'

उपर्युक्त नेताओंकी घोषणाओंको ध्यानमें रखते हुए भारतीय जनताको आशा थी कि अंग्रेजी शासन चले जानेके साथ-ही-साथ गोहत्याका घोर कलंक भी इस देशसे मिट जायगा, किंतु वह आशा फलीभूत नहीं हुई। इसे राष्ट्राका दुर्भाग्य ही कहा जायगा।

### गोरक्षार्थ धर्मयुद्धका सूत्रपात

धर्मप्राण भारतके इदय-सम्राट् ब्रह्मलीन अनन्तश्री स्वामी श्रीकरपात्रीजी महाराजद्वारा संवत् २००१ में संस्थापित 'अखिल भारतवर्षीय धर्मसंघ'ने अपने जन्मकालसे ही माँ भारतीके प्रतीक गोवंशकी रक्षा, पालन, पूजा एवं संवर्धनको अपने प्रमुख उद्देश्योंमें स्थान दिया था।

सन् १९४६ में देशमें कांग्रेसकी अन्तरिम सरकार बनी। भारतीय जनताने अपनी सरकारसे गोहत्याके कलंकको देशके मस्तकसे मिटानेकी माँग की। किंतु सत्ताधारी नेताओंने पूर्व घोषणाओंकी उपेक्षा कर धर्मप्राण भारतकी इस माँगको ठुकरा दिया।

सरकारकी इस उपेक्षा-वृत्तिसे देशके गोभक्त नेता एवं जागरूक जनता चिन्तित हो उठी। उन्हें इससे गहरा आघात लगा। सन् १९४६ के दिसम्बर मासमें देशके प्रमुख नगर बंबईमें 'श्रीलक्ष्मणजी-महायज्ञ' के साथ ही 'अखिल भारतीय धर्मसंघ'के तत्वावधानमें आयोजित 'विराट् गोरक्षा-सम्मेलन' में स्वामी श्रीकरपात्रीजी महाराजने राष्ट्रके धार्मिक, सामाजिक एवं राजनीतिक नेताओं एवं धर्मप्राण जनताका आह्वान किया। देशके सर्वोच्च धर्मगुरुके जगद्गुरु शंकराचार्य, संत-महात्मा, विद्वान्, राजा-महाराजा एवं सद्गृहस्थोंने राष्ट्रके समक्ष उपस्थित इस समस्यापर गम्भीर विचार-मन्थन किया। और सम्मेलनके सर्वसम्मत निश्चयकी घोषणा की गयी—'सरकारसे यह सम्मेलन अनुरोध करता है कि राष्ट्राके सर्वविध कल्याणको ध्यानमें रखते हुए

भारतीय धर्म और संस्कृतिके प्रतीक गोवंशकी हत्यापर कानूनद्वारा प्रतिबन्ध लगा दे। कदाचित् सरकारने अक्षय तृतीया, २००३ तदनुसार २८ अप्रैल १९४७ तक सम्मेलनके अनुरोधपर ध्यान नहीं दिया तो 'अखिल भारतीय धर्मसंघ' देशकी राजधानी दिल्लीमें सम्पूर्ण गोहत्या-बंदीके लिये अहिंसात्मक सत्याग्रह प्रारम्भ कर देगा।'

उक्त घोषणाके पश्चात् शिष्टमण्डलों, गोरक्षा-सम्मेलनों, जन-सभाओं, हस्ताक्षर-आन्दोलनों एवं स्मरण-पत्रोंद्वारा सरकारके कर्णधारोंको गोहत्या-बंदीकी माँगका औचित्य एवं अनिवार्यता समझानेकी भरसक चेष्टा की गयी; किंतु सरकारके कानपर जूँ तक नहीं रेंगी।

### धर्मसंघद्वारा गोरक्षार्थ धर्मयुद्धका शंखनाद

२८ अप्रैल १९४७ का दिन समीप आ पहुँचा। देशके गोभक्त नेता भारतकी राजधानी दिल्लीमें पुनः एकत्रित हुए। गम्भीर विचार-विमर्शके पश्चात् सर्वसम्मतिसे देशसे गोहत्याके कलंकको मिटानेके लिये अहिंसात्मक सत्याग्रहके श्रीगणेशका निश्चय हुआ। परम पूज्य श्रीस्वामी कृष्णबोधान्नमजी महाराज (ब्रह्मलीन ज्योतिष्पीठाधीश्वर जगद्गुरु शंकराचार्यजी महाराज) को धर्मयुद्धका संचालन-सूत्र सौंपा गया। 'कल्याण' के सम्पादक—नित्यलीलालीन भाईजी श्रीहनुमानप्रसादजी पोद्दारने अर्थ-व्यवस्थाका भार सँभाला। धर्मसंघ-विद्यालय-निगम बोध घाट दिल्लीमें आन्दोलनको सफल बनानेके लिये देशके विभिन्न अञ्चलोंसे आये हुए विद्वानोंद्वारा लक्षचण्डी-यज्ञ सम्पन्न हुआ।

अक्षय तृतीयाके पावन पर्वपर प्रातःकाल ही अनन्तश्री स्वामी करपात्रीजी महाराजके नेतृत्वमें गोभक्त धर्मवीरोंने संविधान-निर्मातृ-परिषद्के भवनके समक्ष 'गोहत्या बंद हो' के गगन-पेदी नारोंके साथ सत्याग्रह किया। सरकारने सभी गोभक्त सत्याग्रहियोंसहित श्रीस्वामीजी महाराजको बंदी बनाकर पहले दिल्ली-जेल और पश्चात् केन्द्रीय जेल लाहौरमें स्थानान्तरित कर दिया। धार्मिक जगत्में एक हलचल-साँ मच गयी। देशके कोने-कोनेसे धर्मवीरोंके जत्थे आने लगे और सत्याग्रह तीव्र गतिसे चल पड़ा।

देश-प्रसिद्ध विद्वान् महामहोपाध्याय पं० गिरधर शर्मा चतुर्वेदी, शास्त्रार्थ-महारथी पं० श्रीमाधवाचार्यजी शास्त्री,

पं० श्रीचन्द्रशेखरजी शास्त्री (पुरीपीठाधीश्वर जगद्गुरु निवृत्त-शंकराचार्य, स्वामी श्रीनिरंजनदेवतीर्थजी महाराज), श्री पं० नन्दलालजी शास्त्री, पं० श्रीसूर्यनाथजी पाण्डेय, श्रीसत्यव्रतजी ब्रह्मचारी, श्रीस्वामी आत्मदेवाश्रमजी महाराज, भक्त रामशरणदास पिलखुवा प्रभृति विद्वानों एवं महात्माओंके अतिरिक्त विभिन्न सम्प्रदायोंके आचार्यों, साधु-संतों एवं सद्गृहस्थ महानुभावोंने लगभग ५-६ सहस्रकी संख्यामें जेल-यात्रा की। पं० श्रीश्यामलालजी आचार्य, पं० श्रीहीरालालजी शास्त्री, प्रसिद्ध आर्यसमाजी नेता ला० रामगोपाल शालवाले एवं हिन्दुसभाई नेता प्रो० रामसिंहने आन्दोलनमें सक्रिय योग दिया।

### महात्माओंका बलिदान

पूज्य श्रीस्वामी मुकुन्दाश्रमजी महाराज, श्रीस्वामी कृष्णानन्द तीर्थजी महाराज एवं गोस्वामी लक्ष्मणाचार्यजी तो गोरक्षार्थ अपने भौतिक शरीरोंका बलिदान कर गोलोकवासी हुए।

### मथुरामें सत्याग्रहका श्रीगणेश

दिल्लीमें आन्दोलन तीव्र गतिसे चल रहा था; देशके विभिन्न भागोंसे गोभक्त धर्मवीरोंके जत्थे राजधानीमें गिरफ्तार हो रहे थे। इसी बीच भारत-विभाजनके फलस्वरूप देशमें साम्प्रदायिक विद्वेषाग्नि भड़क उठी। नित्य नये राष्ट्रघातक षड्यन्त्रोंका विस्फोट होने लगा। राजधानी दिल्ली भी इन षड्यन्त्रोंका केन्द्र बन गयी। राष्ट्रिय संकटको दृष्टिमें रखते हुए धर्मयुद्धके संचालकोंने दिल्लीमें आन्दोलनको अस्थायी रूपसे स्थगित कर गोपाल कृष्णकी पवित्र भूमि व्रजमें आन्दोलनको चालू रखनेका निश्चय किया।

मथुरामें धर्मयुद्धका शंख बज उठा। निश्चित तिथिसे पूर्व ही श्रीस्वामी करपात्रीजी महाराज—जो अबतक लाहौर-जेलसे मुक्त हो चुके थे—को बंदी बनाकर पहले मथुरा जेल और तदनन्तर आगरा जेलमें बंद कर दिया गया। सत्याग्रह तीव्र गतिसे चलता रहा। मथुरा नगर-परिषद्ने अपनी सीमामें 'गोहत्या-बंदी'का प्रस्ताव पारित किया। फिर तो एकके बाद एक अनेक नगर-पालिकाओं, नगर-परिषदों, नगर-निगमों एवं जिला-परिषदोंने 'गोहत्या-बंदी' के प्रस्ताव पारित किये। फलस्वरूप व्रजभूमिके चौदह बूचड़खाने बंद हो गये।

मथुरा आंदोलनमें चित्रकूटके पूज्य स्वामी अखण्डानन्दजी महाराजके शिष्यों एवं हाँसी-निवासी पं० चैतन्यदेवजी शास्त्रीका सतत योगदान विशेष रूपसे उल्लेखनीय है।

इन आन्दोलनोंसे राष्ट्र-व्यापी जन-जागरण हुआ। देशके

कोने-कोनेसे 'गोहत्या-बंदी'की माँग उठने लगी। सरकारसे बराबर पत्रों, तारों, प्रस्तावों, जन-सभाओं एवं शिष्ट मण्डलोंद्वारा अनुरोध किया जाता रहा कि वह जनताकी भावनाओंका सम्मान करते हुए भारत राष्ट्रकी प्रतीक गौ माताकी हत्यापर कानूनद्वारा प्रतिबन्ध लगाये। फलस्वरूप संविधान-निर्मातृ-परिषद्ने भारतीय संविधानके अध्याय ४ अनुच्छेद ४८ में 'आधुनिक एवं वैज्ञानिक पद्धतिपर कृषि एवं पशु-धनकी व्यवस्थाके लिये प्रयत्न करने, विशेषतः पशु-धनकी नस्लोंकी रक्षा और सुधारके लिये पग उठाने तथा गौओं, बछड़ों-बछड़ियों एवं अन्य दुधार पशुओंकी हत्यापर कानूनी प्रतिबन्ध लगानेका भारत सरकारके प्रति नीति-निर्देश (Directive Principle) सर्वसम्मतिसे स्वीकार किया।

१९ नवम्बर १९४७ को भारत सरकारने गोरक्षण और गोपालनके सम्बन्धमें विचार कर अपनी सम्मति देनेके लिये सरदार दातारसिंहकी अध्यक्षतामें एक 'पशुरक्षण और संवर्धन कमेटी' बनायी। समितिने ६ नवम्बर १९४९ को अपनी रिपोर्ट सरकारके समक्ष प्रस्तुत की। रिपोर्टमें गोहत्या-बंदी एवं गौ-संरक्षणके सम्बन्धमें कतिपय महत्त्वपूर्ण सुझाव दिये गये थे, किंतु सरकारने कमेटीके सुझावोंको आंशिक रूपमें ही स्वीकार किया और उन्हें भी पूर्ण रूपसे कार्यान्वित नहीं किया।

इसी बीच हमारे पड़ोसी देशों—लंका और बर्माकी सरकारोंने अपने यहाँ गोहत्यापर प्रतिबन्ध लगाये। पाकिस्तानमें भी कराचीमें दूध देनेवाले पशुओंकी हत्यापर रोक लगायी गयी। 'अखिल भारतीय रामराज्य-परिषद्' द्वारा आन्दोलन

सन् १९४९-५०में 'अखिल भारतीय रामराज्य-परिषद्' ने दिल्लीमें गोहत्याके कलंकको मिटानेके लिये सक्रिय सत्याग्रह-आन्दोलन किया। श्रीस्वामी करपात्रीजी महाराजके नेतृत्वमें राजस्थानके वीर राजपूतोंने लगभग बीस सहस्रकी संख्यामें जेल-यात्रा की। राजा दुर्जनसिंह जावली, ठाकुर मदनसिंह दाता, श्रीमोहनसिंह भाटी, श्रीरघुवीरसिंह जावलीने आन्दोलनके संचालनमें प्रमुख रूपसे भाग लिया। आन्दोलनको सफल बनानेमें सर्वश्रेष्ठ पं० नन्दलालजी शास्त्री, पं० चन्द्रशेखरजी शास्त्री एवं प्रसिद्ध हिन्दू-नेता सेठ सीतारामजी खेमकाने भी महत्त्वपूर्ण योगदान किया।

'राष्ट्रिय स्वयं सेवक-संघ' द्वारा हस्ताक्षर-आन्दोलन सन् १९५२ में 'राष्ट्रिय स्वयं सेवक संघ'ने देशके लगभग दो करोड़ लोगोंके हस्ताक्षर कराकर देशमें सम्पूर्ण गौ-वंशकी हत्यापर कानूनद्वारा प्रतिबन्ध लगानेकी माँग की। संघके

सरसंघचालक श्रीमाधवराव सदाशिव गोलवलकरजी (गुरुजी) ने स्वयं इन हस्ताक्षरोंके साथ आवेदन-पत्र राष्ट्रपति डॉ० श्रीराजेन्द्रप्रसादजीको भेंट किया। परंतु प्रधान मन्त्रीजीने इसकी कोई परवाह नहीं की।

### प्रयागमें गोरक्षा-सम्मेलन

सन् १९५४ में प्रयाग-कुम्भके पावन पर्वपर एक विराट् 'गोरक्षा-सम्मेलन' का आयोजन किया गया। इस सम्मेलनमें पूज्य श्रीप्रभुदत्तजी ब्रह्मचारीसहित लाला हरदेवसहायजी भी उपस्थित थे। इससे पूर्व लालाजी एवं बाबा राघवदास प्रभृति महानुभाव गोरक्षार्थ सक्रिय आन्दोलनको अनावश्यक मानते थे। उनकी धारणा थी कि कांग्रेस सरकार स्वयमेव अथवा समझाने-बुझानेसे राष्ट्रके इस कलंकको दूर कर देगी, किंतु इस सम्मेलनके मंचसे प्रथम बार उन्होंने स्पष्ट घोषणा की कि 'सरकारसे बातचीतद्वारा गोरक्षाकी माँग मनवानेमें मैं पूर्णतया निराश हो चुका हूँ। अब मुझे निश्चित विश्वास हो गया है कि मैं अबतक भ्रममें था। कांग्रेस सरकार बिना राष्ट्रव्यापी उग्र आन्दोलनके गोहत्यापर कानूनद्वारा प्रतिबन्ध नहीं लगायेगी।' आपने विशाल जन-समूहके समक्ष अपने सिरसे पगड़ी उतारकर फेंक दी थी और शपथ ली कि 'जबतक देशसे गोहत्याका पाप नहीं मिटेगा मैं पुनः पगड़ी धारण नहीं करूँगा।' आपने आजीवन इस शपथका निर्वाह किया।

### 'गोहत्या-निरोध-समिति'का संगठन एवं आन्दोलन

पूज्य ब्रह्मचारी श्रीप्रभुदत्तजीके सहयोगसे लाला हरदेवसहायजीने प्रयागमें ही 'गोरक्षा-सम्मेलन' का आयोजन किया, जिसमें देशमें 'गोहत्या-निषेध' के लिये आन्दोलन चलाने-हेतु 'गोहत्या-निरोध-समिति' का गठन किया गया। लाला हरदेवसहायजी इस समितिके प्रधान मन्त्री तथा श्रीप्रभुदत्तजी ब्रह्मचारी अध्यक्ष चुने गये।

समितिके निश्चयानुसार दोनों नेताओंने पटना और लखनऊमें गोरक्षार्थ सत्याग्रह किये। बिहार सरकारने 'गोहत्या-बंदी कानून' बनाना स्वीकार कर लिया। इसके पश्चात् लखनऊमें भी सत्याग्रह आरम्भ किया गया। पूज्य स्वामी श्रीकरपात्रीजी महाराज भी इस अवसरपर आन्दोलनमें सक्रिय भाग लेने पहुँचे। सरकारने आपको बंदी नहीं बनाया। स्व० श्रीगोविन्दवल्लभ पन्तने राज्य-मन्त्रिमण्डलकी ओरसे आपको सादर आमन्त्रित किया और आश्वासन दिया कि डॉ० सीतारामकी अध्यक्षतामें नियुक्त कमेटीकी रिपोर्ट मिलते ही उत्तरप्रदेशमें 'गोहत्या-बंदी कानून' बना दिया जायगा। इस प्रकार

उत्तरप्रदेश और बिहारमें 'गोहत्याबंदी-कानून' बने।

### भारत-गोसेवक-समाजद्वारा प्रयास

सन् १९४८ में 'बंबई जीवदया-मण्डल' के प्रयत्नसे स्थापित 'भारत-गोसेवक-समाज' ने गोहत्या-निषेधके लिये विशेष प्रयास किया। सेठ गोविन्ददासजी इसके अध्यक्ष एवं लाला हरदेवसहायजी तथा श्रीजयन्तीलाल मानकर दोनों मन्त्री थे।

### गोहत्या-बंदीके लिये राष्ट्रव्यापी आन्दोलन

सन् १९५४-५५ में देशकी गोभक्त-संस्थाओं एवं नेताओंके सहयोगसे गोरक्षार्थ राष्ट्रव्यापी आन्दोलन चलानेके लिये भगवन्ती भागीरथीके अंचल कानपुरमें 'धर्म-संघ' और 'ब्रह्ममण्डल' की ओरसे लक्षचण्डी-यज्ञका आयोजन हुआ। दक्षिणा-निरपेक्ष होकर विद्वान् ब्राह्मण उस यज्ञमें सम्मिलित हुए और 'अखिल भारतीय गोरक्षार्थ अहिंसात्मक धर्म-युद्ध-समिति' का गठन किया गया। प्रसिद्ध गोभक्त सेठ चिरंजीलालजी लोयलका इसके अध्यक्ष एवं देशविख्यात हिन्दू-नेता सेठ सीतारामजी खेमका प्रधान मन्त्री चुने गये।

देशके चार प्रमुख नगरों—कलकत्ता, बंबई, अहमदाबाद एवं राजधानी दिल्लीमें उक्त समितिके आह्वानपर 'गोहत्या-बंदी' की माँगको लेकर जोरदार आन्दोलन चलाये गये। चारों स्थानोंपर लगभग ६० हजारसे अधिक गोभक्त धर्मवीरों एवं वीराङ्गनाओंने जेल-यात्रा की।

कलकत्तेके मोर्चेपर परमपूज्य स्वामी श्रीस्वरूपानन्दजी सरस्वती, गोभक्त सर्वश्री सेठ सोहनलालजी दुग्गड़ समितिके प्रधान एवं पं० सूर्यनाथजी पाण्डेय मन्त्री और सेठ सीतारामजी खेमका आदि प्रमुख संचालकोंमें थे। आन्दोलन इतना तीव्र हुआ कि जब सेठ सोहनलालजी दुग्गड़के नेतृत्वमें सत्याग्रही वीरोंका जत्था विधान-सभा-भवनकी ओर जा रहा था तो जनताकी अपार भीड़ने उनका अनुगमन किया। सरकारने शान्तिमय धर्मवीरोंकी भीड़को रोकनेके लिये जनतापर घुड़सवार पुलिसको आगे बढ़नेका आदेश दिया। फलस्वरूप घोड़ोंके टापोंके नीचे आकर अनेक धर्मवीर आहत हो गये और धर्मवीर श्रीजसकरण भूराका बलिदान हुआ।

आन्दोलनका उग्र रूप देखकर पश्चिम बंगालकी सरकारने सत्याग्रहमें भाग लेनेवाले प्रायः सभी गोभक्तोंको चुन-चुनकर गिरफ्तार कर लिया तथा आन्दोलनके कार्यालय और अन्य स्थानोंपर छापे डाले गये एवं सम्पूर्ण कागजातोंको जब्त कर लिया गया। स्वामी श्रीकरपात्रीजी तथा अन्य सभी नेता जेलमें



समितिका प्रधान मन्त्री नियुक्त किया गया। समितिने विजयादशमीसे समस्त भारतमें जनजागरणके लिये अभियान प्रारम्भ करनेका निश्चय किया।

विजयादशमी १८ अक्टूबर १९६२ को उक्त निश्चयानुसार विदर्भके प्रमुख नगर आकोलासे विधिवत् गोपूजनके पश्चात् अपार जनसमूहके गगनभेदी जयघोषों एवं हरिसंकीर्तनके बीच 'गोरक्षा-अभियान' ने बंबईमें बनने जा रहे देवनारके विशाल बूचड़खानेको रोकनेके लिये प्रस्थान किया।

मार्गके नगरों एवं गाँवोंमें जन-जागरण करता हुआ अभियान २३ अक्टूबर १९६२ को बंबई पहुँचा। नगरके विभिन्न भागोंमें जोरदार जनसभाएँ करके उक्त बूचड़खानेकी योजनाको रद्द करवानेके लिये जनमत जाग्रत् किया जाने लगा। दुर्भाग्यवश इसी समय चीनी सेनाओंने देशकी उत्तरी सीमापर आक्रमण कर दिया। भारतके स्वाभिमानपर यह दुःखद आघात था। गोरक्षा-अभियानको अब राष्ट्र-रक्षा-अभियानके रूपमें परिवर्तित करना अनिवार्य हो गया। यह विचार कर कि भारतीय नेताओंसे तो देर-सबेर गोरक्षाकी आशा की जा सकती है, किंतु यदि दुर्भाग्यसे देश पुनः ऐसे विदेशियोंके हाथों पड़ गया तो गोरक्षा एक स्वप्न बनकर रह जायगा। अतः पं० नेहरूकी अपीलपर गोरक्षा-अभियानको स्थगित कर राष्ट्र-रक्षार्थ जन-जागरणका कार्य प्रारम्भ किया गया।

### वृन्दावनमें गोरक्षा-सम्मेलन

श्रीप्रभुदत्तजी ब्रह्मचारीके सबल सहयोगसे 'भारत गोसेवक-समाज' ने अगस्त १९६४ में 'अखिल भारतीय गोरक्षा-सम्मेलन' का वृन्दावनमें आयोजन किया। सेठ गजाधरजी सोमानी सम्मेलनके सभापति थे। सम्मेलनका उद्घाटन 'राष्ट्रिय स्वयं सेवक संघ' के (गुरुजी) श्रीगोलवलकरजीने किया। इस सम्मेलनने सरकारको चेतावनी दी कि यदि गोपाष्टमी संवत् २०२२ तक देशमें सम्पूर्ण गोवंशकी हत्या बंद न की गयी तो इसके लिये शान्तिमय आन्दोलन किया जायगा।

एक उच्चस्तरीय शिष्टमण्डलने २२ फरवरी १९६५ को उक्त माँग सरकारके समक्ष रखी। शिष्टमण्डलने प्रधान मन्त्री स्व० लालबहादुरजी शास्त्रीसे भेंट की। राष्ट्रपति तथा खाद्यमन्त्रीसे भी भेंट की गयी; किंतु कोई ठोस परिणाम नहीं निकला।

### स्व० लालबहादुरजी शास्त्रीसे जगद्गुरु

#### शंकराचार्योंकी भेंट

'अखिल भारतीय धर्मसंघ' के मेरठ महाधिवेशनके अवसरपर आयोजित 'गोरक्षा-सम्मेलन' के निश्चयानुसार २४

मार्च १९६५ को जगद्गुरु शंकराचार्य, ज्योतिष्पीठाधीश्वर अनन्तश्री स्वामी कृष्णबोधाश्रमजी महाराज एवं गोवर्धनपीठाधीश्वर अनन्तश्री स्वामी निरंजनदेव तीर्थके नेतृत्वमें एक सम्प्रान्त शिष्टमण्डल प्रधान मन्त्री स्व० लालबहादुर शास्त्रीसे मिला। शिष्टमण्डलने सम्पूर्ण भारतमें अविलम्ब 'गोवंश-वध-निषेध' के कानूनकी माँग करते हुए विशेषतः बंबईके देवनार और कलकत्ताके दानकुनी बूचड़खानोंके निर्माणको अविलम्ब रोकनेके लिये आग्रह किया।

शिष्टमण्डलने आवश्यकता पड़नेपर 'गोहत्या-बंदी' से होनेवाली सरकारकी आर्थिक क्षतिकी पूर्ति करनेके लिये गोरक्षा-कर अथवा अन्य प्रकारसे सहायता देनेके लिये जनताको प्रेरित करनेके लिये अपना सहयोग प्रस्तुत किया।

प्रधान मन्त्रीने शिष्टमण्डलसे सहानुभूतिपूर्वक बातचीत की और उक्त दोनों बूचड़खानों (कलकत्ता एवं बंबई) के निर्माणको तुरंत रोक देनेका स्पष्ट आश्वासन दिया। इसके अतिरिक्त गोवंशके उत्तरोत्तर तीव्र गतिसे हो रहे ह्रासको पूर्णतया कानूनके द्वारा बंद करनेका प्रयास करनेका वचन भी दिया। इस अवसरपर गृहमन्त्री श्रीनन्दाजी उपस्थित थे।

इसी बीच भारत-पाक-संघर्षका संकट राष्ट्रपर आया और समस्त देश एवं सरकार सब कुछ भूलकर राष्ट्र-रक्षाके कार्यमें संलग्न हो गये। भगवत्कृपासे संघर्षमें हमारा राष्ट्र विजयी रहा; किंतु ताशकन्दमें श्रीशास्त्रीजीके आकस्मिक निधनके पश्चात् उनके द्वारा प्रदत्त आश्वासनोंको सरकारने क्रियान्वित नहीं किया।

### गोरक्षार्थ बलिदानी वीरोंका आह्वान

सन् १९६६ में प्रयागमें माघमेलेके अवसरपर 'अखिल भारतीय धर्मसंघ-शिविर' के विशाल प्राङ्गणमें 'गोरक्षा-सम्मेलन' का आयोजन किया गया। सम्मेलनमें जगद्गुरु शंकराचार्य अनन्तश्री स्वामी निरंजनदेव तीर्थजी महाराजने गोरक्षार्थ संत-महात्माओं एवं धर्मप्राण जनताका आह्वान करते हुए कहा—'यदि हम वास्तवमें राम-कृष्णके सच्चे भक्त हैं और सच्चे साधु-महात्मा हैं तो हमें बड़े-से-बड़ा बलिदान करके भी गोमाताकी रक्षा करनी चाहिये। आपने स्पष्ट शब्दोंमें कहा कि 'सरकारके कर्णधारोंसे अनेक बार पत्र-व्यवहार करके तथा साक्षात् भेंट करके हम इस परिणामपर पहुँचे हैं कि वर्तमान सरकार प्रस्तावोंसे, भाषण देनेसे अथवा शिष्टमण्डलोंद्वारा समझाने-बुझानेसे कदापि गोहत्या बंद नहीं करेगी। गोमाताकी रक्षा तभी होगी जब हम लोग सच्चे





श्रीहनुमानप्रसादजी पोद्दार एवं पूज्य ब्रह्मचारीजीको साथ लेकर कुछ प्रमुख गोसेवक श्रीकरपात्रीजी महाराजकी सेवामें ऋषिकेश पहुँचे। कोयल घाटी-स्थित श्रीमहाराजजीके शिविरमें बैठक हुई। विचार-विमर्शके पश्चात् श्रीस्वामीजी महाराजने निम्नलिखित आशयका एक शपथ-पत्र तैयार किया—

‘मैं शपथपूर्वक ‘सर्वदलीय गोरक्षा-महाभियान’ को आश्वासन देता हूँ कि मनसा, वाचा, कर्मणा अपनी पूर्ण शक्तिसे ‘गोहत्या-बंदी’ के लिये जो भी आवश्यक होगा सब कुछ करूँगा।’

उक्त शपथ-पत्रपर सर्वप्रथम स्वयं श्रीस्वामी करपात्रीजी महाराजने हस्ताक्षर किये, तदनन्तर श्रीब्रह्मचारी प्रभुदत्तजी महाराज, ज्योतिष्पीठाधीश्वर जगद्गुरु शंकराचार्य अनन्तश्री स्वामी कृष्णबोधाश्रमजी महाराज, गोवर्धनपीठाधीश्वर अनन्तश्री स्वामी निरंजनदेवतीर्थजी महाराज, राष्ट्रीय स्वयं सेवक-संघके गुरु गोलवलकरजी, श्रीस्वामी गणेशानन्दजी, सद्गुरु जगजीतसिंहजी, भारत साधु-समाजके स्वामी गुरुचरणदासजी, श्रीस्वामी आनन्दजी, जैन मुनि सुशीलकुमारजी, हिन्दू महासभाई नेता महन्त दिग्विजयनाथजी, संत फतहसिंहजी, श्रीहनुमानप्रसादजी पोद्दार प्रभृति लगभग ४० गोसेवी नेताओंने हस्ताक्षर किये।

अपने-अपने विश्वासानुसार यहींपर गोरक्षार्थ धार्मिक अनुष्ठानादि करनेके लिये सभी सम्प्रदायोंके गोभक्तोंको प्रेरित करनेके लिये एक वक्तव्य तैयार किया गया जो अविकल-रूपमें ‘कल्याण’ तथा देशके अनेक पत्र-पत्रिकाओंमें प्रकाशित हुआ।

श्रीस्वामीजी ऋषिकेशसे पुनः दिल्ली पधारे और आपने अन्य गोभक्त नेताओं एवं कार्यकर्ताओंके सहयोगसे ‘सर्वदलीय गोरक्षा-महाभियान’की रूपरेखा तैयार की। तदनन्तर चातुर्मास्यव्रतके लिये श्रीमहाराजजी वाराणसी चले गये तथा ‘गोहत्या-बंदी’ के लिये वहाँ गभस्तीश्वरमें विद्वान् वैदिक ब्राह्मणोंने ११ दिनका अखण्ड रुद्राभिषेक सम्पादित किया।

वाराणसीमें पुनः सभी सम्बन्धित लोगोंकी उपस्थितिमें बैठक हुई और परस्पर विचार-विमर्शके पश्चात् संविधानमें अपेक्षित संशोधन किये गये। सर्वोच्च समिति, कार्य-समिति, संरक्षक-मण्डल एवं महाभियान-समितिके सदस्योंको मनोनीत किया गया।

१४ सितम्बर १९६६ को ‘भारत गोसेवक-समाज’ के कार्यालय, ३ सदर थाना रोड दिल्लीमें शपथ-पत्रपर हस्ताक्षर

करनेवाले ‘सर्वदलीय गोरक्षा-महाभियानसमिति’ के सदस्योंकी एक बैठक हुई। इस सभामें ‘महाभियान-समिति’ के पदाधिकारियोंका निर्वाचन किया गया तथा समितिके पदाधिकारियोंका चुनाव हुआ। महाभियानके संचालन और नीति-निर्धारणका सम्पूर्ण उत्तरदायित्व सर्वोच्च समितिको सौंपा गया। निम्नलिखित महानुभाव सर्वोच्च समितिके सदस्य बनाये गये—

- (१) जगद्गुरु शंकराचार्य अनन्तश्री स्वामी श्रीनिरंजनदेव-तीर्थजी महाराज गोवर्धनपीठाधीश्वर (पुरी)।
- (२) अनन्तश्री स्वामी करपात्रीजी महाराज।
- (३) श्रीप्रभुदत्तजी ब्रह्मचारी।
- (४) स्वामी गुरुचरणदासजी।
- (५) मुनि श्रीसुशीलकुमारजी।
- (६) श्रीमाधवराव सदाशिव गोलवलकरजी।
- (७) श्रीहनुमानप्रसादजी पोद्दार।

#### स्वामी रामचन्द्र वीरका आमरण अनशन-व्रत

१० अगस्त १९६६ को मध्य प्रदेशके सागर नगरमें महान् तपस्वी प्रसिद्ध गोभक्त हिन्दू-सभाई नेता महात्मा रामचन्द्र वीर, जिन्होंने गोहत्याके कलंकके निवारणार्थ अनेक बार अनशन-व्रत किये, ने घोषणा की कि यदि भारत सरकारने २० अगस्तसे पूर्व गोहत्या-बंदीका केन्द्रीय कानून नहीं बनाया तो वे २० अगस्त १९६६ से भारतकी राजधानी दिल्लीमें अपना अन्तिम आमरण अनशन प्रारम्भ कर देंगे।

२० अगस्त १९६६ को प्रातः ७ बजे ‘हिन्दू महासभा-भवन, मन्दिर-मार्ग, नई दिल्ली’ में वेदमन्त्रोंके उच्चारण एवं प्रो० रामसिंह आदि गण्यमान्य हिन्दू नेताओंकी उपस्थितिमें स्वामी रामचन्द्रजी वीरने अपना कठिन संकल्प प्रारम्भ किया। ३२ दिन तक ‘हिन्दू महासभा-भवन’ संकीर्तन, भगवत्-स्तुतिसे गुंजायमान होता रहा। छोटे-बड़े सभी गोभक्त नेताओं, कार्यकर्ताओंने हिन्दू-भवनमें पहुँचकर वीरजीके अनशनके प्रति शुभ कामनाएँ प्रकट कीं। स्वामीजीका शरीर उत्तरोत्तर क्षीण होता गया। २० सितम्बरकी संध्याको पुलिस आयी और उन्हें आत्महत्याके तथाकथित अपराधमें गिरफ्तार करके ले गयी। महात्मा रामचन्द्र वीरने जेलमें भी अपना अनशन-व्रत जारी रखा। ७ नवम्बर १९६६ को एक वंदीके रूपमें ‘गोविन्दवल्लभपंत अस्पताल नयी दिल्ली’में उनके अनशन-व्रतका ८० वाँ दिन था।

संसद भवन पर एक विराट् प्रदर्शन हुआ। इस प्रदर्शनका आयोजन सर्वदलीय गोरक्षा-महाभियानपर हस्ताक्षर करनेवाले सभी नेताओंके सहयोगसे सनातन धर्म-प्रतिनिधि-सभाके प्रधान मन्त्री स्वामी गणेशानन्दजी महाराजके संयोजकत्वमें हुआ था। लगभग डेढ़से दो लाख गोभक्त इसमें सम्मिलित हुए। गोरक्षाके लिये किये गये आजतकके प्रदर्शनोंमें यह अभूतपूर्व था।

राजधानीके विभिन्न मार्गोंसे होता हुआ यह जुलूस करीब सवा दो बजे संसद्-भवन पहुँचा। इसके बाद सेठ गोविन्ददासके साथ स्वामी गणेशानन्दजी, स्वामी गुरुचरणदासजी और जैन मुनि सुशीलकुमारजीने 'गोहत्या' बंद करनेके सम्बन्धमें एक आवेदन-पत्र गृहमन्त्री श्रीगुलजारीलाल नन्दाको संसद्-भवनके द्वारपर दिया।

### सत्याग्रहका शङ्खनाद

#### [ ७ नवम्बरका गोकुम्भ ]

श्रीरामनवमीसे साधु-संतोंद्वारा गोरक्षार्थ आन्दोलन प्रारम्भ हुआ और 'सर्वदलीय गोरक्षा-महाभियान-समिति' के तत्त्वावधानमें ७ नवम्बर १९६६ को दिल्लीमें संसद्-भवनपर गोभक्तोंका विराट् प्रदर्शन हुआ। इस विराट् प्रदर्शनमें सम्मिलित होनेके लिये देशके कोने-कोनेसे आबाल-वृद्ध, नर-नारी, संन्यासी, ब्रह्मचारी, सद्गृहस्थ, नेता तथा कार्यकर्ता लाखोंकी संख्यामें कई दिन पहलेसे ही दिल्ली पहुँचने लगे। विभिन्न स्थानोंपर 'गोरक्षा-आन्दोलन' की सफलताहेतु धार्मिक अनुष्ठान, पूजा-पाठ तथा लक्षचण्डी महायज्ञ भी प्रारम्भ कर दिये गये। ज्योतिष्पीठाधीश्वर जगद्गुरु शंकराचार्य स्वामी श्रीकृष्णबोधाश्रमजी महाराज, पुरीपीठाधीश्वर जगद्गुरु शंकराचार्य स्वामी श्रीनिरंजनदेवतीर्थजी महाराज, धर्मसम्राट् स्वामी श्रीकरपात्रीजी महाराज तथा अन्य संत-महात्माओंने रात-दिन नगर-नगर, डगर-डगर और ग्राम-ग्राममें घूमकर देशभरमें गोरक्षाके लिये इतना व्यापक प्रचार किया कि ७ नवम्बर १९६६ के इस गोकुम्भ-महापर्वपर सम्पूर्ण भारतकी आत्मा एक-रूप होकर गोहत्याके काले कलंकको देशके मस्तकसे मिटानेके लिये संसद्-भवनपर दृष्टिगोचर हुई। हिन्दू, मुसलमान, सिख, ईसाई, पारसी सभी जातियों, समुदायों और वर्गोंके स्त्री-पुरुष, बाल-वृद्ध, युवक-युवती अपने-अपने नेताओं तथा धर्मगुरुओंके आह्वानपर दिल्ली पधारे थे और गामाताके प्राणोंकी रक्षाके लिये बड़े उत्साहसे 'गोहत्या बंद हो' के नारे लगाते हुए पूर्ण अहिंसक-भावसे संसद्-भवनकी ओर

प्रेमपूर्वक इस विश्वासके साथ बढ़ते जा रहे थे कि आज गोरक्षा-कानून बनानेकी सरकारसे घोषणा करवाकर ही वापिस लौटेंगे। इस दिन दिल्लीमें चारों ओर मनुष्य-ही-मनुष्य दिखलायी पड़ रहे थे। समाचारपत्रोंके अनुसार इस प्रदर्शनमें लगभग पंद्रह-बीस लाख लोगोंने सम्मिलित होकर 'गोकुम्भ-महापर्व' का ऐसा दृश्य उपस्थित किया था जिसके विषयमें 'न भूतो न भविष्यति' कहना ही पर्याप्त होगा। देशकी एकात्मकताका यह दिन कितना महान् था? इसका मूल्याङ्कन तो भावी इतिहास ही करेगा।

इस ऐतिहासिक प्रदर्शनके अवसरपर संसद्-भवनके सामने बड़े विशाल मंचपर विराजमान महान् विभूतियोंमें उल्लेखनीय नाम हैं—सर्वश्रीज्योतिष्पीठके जगद्गुरु शंकराचार्य स्वामी श्रीकृष्णबोधाश्रमजी महाराज, पुरीपीठके जगद्गुरु शंकराचार्य स्वामी श्रीनिरंजनदेवतीर्थजी महाराज, धर्मसम्राट् स्वामी श्रीकरपात्रीजी महाराज, संत प्रभुदत्तजी ब्रह्मचारी, जैन मुनि सुशीलकुमारजी, स्वामी श्रीरामेश्वरानन्दजी, भाई श्रीहनुमानप्रसादजी पोद्दार, अटलबिहारीजी बाजपेयी, प्रकाशवीर शास्त्री तथा सेठ गोविन्ददास आदि। इन महानुभावोंके मंचसे स्वामी श्रीकरपात्रीजी महाराजने घोषणा की कि 'हमारा किसी दल-विशेषसे द्वेष नहीं है। हम किसी राजनीतिक माँगको लेकर नहीं आये हैं। इस समय जो शासनारूढ हैं वे हमारे ही घरके लोग हैं, हम इन सबका कल्याण चाहते हैं। हम तो यहाँ केवल गोरक्षाकी माँग रखने आये हैं।' इसी प्रकार अन्य नेताओंके उद्बोधन चल रहे थे कि उस समयकी कांग्रेसी सरकारने इस महान् ऐतिहासिक प्रदर्शनको असफल करनेके लिये अपने गुंडोंद्वारा उपद्रव कराकर प्रदर्शनकारियोंपर लाठी प्रहार प्रारम्भ करवा दिया, जिससे भगदड़ मच गयी और चारों ओर अव्यवस्था मच गयी, सरकारके पूर्वनियोजित षड्यन्त्रका शिकार होनेसे यह विराट् प्रदर्शन असफल हो गया। सरकारको बहाना मिल गया। अहिंसक और निहत्थे लोगोंपर आँसू गैसके गोले और राइफलोंकी गोलियोंकी बौछार करके असंख्य गोभक्तोंको पुलिसने जिस क्रूरतासे मारा उसकी मिसाल मिलना सम्भव नहीं। 'जलियाँवाला बाग' का हत्याकाण्ड भी इसके सामने फीका पड़ गया। संसद्-भवनकी सड़कें क्षत-विक्षत शवों तथा रक्तपातसे पट गयीं। सरकारने अपना पाप छिपानेके लिये कर्फ्यू लगाकर सारे शवोंको विद्युत्-भट्टीमें जला दिया। अनेक नेताओंको बंदी बना लिया। पूरे नगरमें भीषण आतंक व्याप्त हो गया।

गोरक्षा-आन्दोलनका संक्षिप्त इतिहास

### स्वामी श्रीकरपात्रीजीद्वारा सत्याग्रह

सरकारी दमनचक्रसे सम्पूर्ण दिल्लीमें भय और आतंकका वातावरण बन गया था। 'गोरक्षा-आन्दोलन' रुकता हुआ-सा प्रतीत हो रहा था। देशभरसे आये हुए लाखों गोभक्त किंकर्तव्यविमूढ़ हो रहे थे। हजारों गोभक्तोंके बलिदानसे सर्वत्र शोक और भय व्याप्त हो जानेके कारण किसीको भी सत्याग्रहके लिये सामने आनेका साहस नहीं हो रहा था। ऐसी विकट स्थितिमें ८ नवम्बर १९६६ को प्रातःकाल ही अपने प्रातःकृत्योंसे निवृत्त होकर धर्मसम्राट् स्वामी श्रीकरपात्रीजी महाराज राजधानी दिल्लीकी सड़कोंपर सत्याग्रहके लिये निकल पड़े, फिर क्या था, अनेक गोभक्त धर्मवीर उनके पीछे हो लिये। सरकारके दमनचक्रसे उत्पन्न आतंकको छिन्न-भिन्न करते हुए श्रीस्वामीजीने एक बार पुनः 'गोरक्षा-आन्दोलन' को नवजीवन प्रदान किया। अपनी गिरफ्तारीके समय भी श्रीस्वामीजीने कहा कि 'अहिंसात्मक और शान्तिपूर्ण ढंगसे 'गोरक्षा-आन्दोलन' चलाते रहना चाहिये।' उनके निर्देशानुसार आन्दोलन चलता रहा। प्रतिदिन हजारों गोभक्त बंदी बनाये जाते रहे। अनेक धर्मवीरोंने अनशनव्रतमें प्राणोत्सर्ग किये। तिहाड़ जेलमें बंद स्वामी श्रीकरपात्रीजी महाराजपर घातक प्रहार हुआ, जबकि वे गोभक्तोंको भजनोपदेश कर रहे थे। इस प्राणघातक आक्रमणमें श्रीस्वामीजीका सिर फूट गया, पूरे शरीरपर नीले निशान पड़ गये तथा वे बेहोश हो गये। एक आँखकी ज्योति भी प्रायः जाती रही। यदि एक धीतराग महात्मा (स्वामी शिवानन्दजी महाराज) ने स्वामीजीके ऊपर लेटकर स्वयं उन नम्बरी कैदियोंद्वारा लोहेके डंडोंसे किये गये प्रहारोंको अपने शरीरपर सहन न कर लिया होता तो श्रीस्वामीजीका उसी समय वहींपर प्राणान्त हो जाता। इतना सब होनेपर भी संत-महात्माओं एवं सद्गृहस्थ गोभक्तोंके जेल जानेका क्रम बराबर चलता रहा, किंतु सरकारकी कुम्भकर्णी निद्रा नहीं टूटी।

### पुरीके शंकराचार्यका अनशनव्रत

सरकारकी दमनकारी नीति और 'गोहत्या-बंदी कानून' न

बनानेकी हठधर्मीके विरोधमें गोवर्धनपीठाधीश्वर जगद्गुरु शंकराचार्य स्वामी श्रीनिरंजनदेवतीर्थजी महाराजने २० नवम्बर १९६६ को गोपाष्टमीके पावन पर्वपर अपना ७३ दिवसीय अनशनव्रत प्रारम्भ किया। उनके साथ ही संत प्रभुदत्तजी ब्रह्मचारी, गोभक्त शम्भूजी महाराज, स्वामी श्रीवीर रामचन्द्रजी महाराज आदि अनेक महापुरुषोंने गोरक्षार्थ अनशनव्रत किये। इन महात्माओंकी सहानुभूतिमें देशके लाखों गोभक्त महापुरुषों तथा भक्तिमती माताओंने भी गोरक्षाकी पुनीत भावनासे प्रेरित होकर उपवास रखे। गोरक्षा-सत्याग्रह बराबर चलता रहा। आन्दोलनमें एक लाखसे अधिक गोभक्तोंने जेल-यात्राकी।

अन्ततोगत्वा सरकारने जनताकी इस प्रबल माँगके समक्ष झुकनेका नाटक रचा। गोहत्या-बंदीकी माँगको सिद्धान्ततः स्वीकार करनेकी घोषणा की गयी। आश्वासन दिया गया कि तीन महीनेके भीतर गोहत्या-बंदी कानून बना दिया जायगा। पुरीपीठके शंकराचार्यने अपने अनशनव्रतके ७३ वें दिन अपनी इस कठोर तपस्याको विराम दिया। 'गोरक्षा-आन्दोलन' भी स्थगित कर दिया गया। सरकारने 'गोरक्षा-समिति' बना दी, जिससे छः महीनेमें अपनी रिपोर्ट देनेको कहा गया, किंतु यह सब सरकारका नाटक ही था जो उसने आन्दोलन तथा अनशन समाप्त करानेके लिये रचा था।

आज धर्मसम्राट् स्वामी श्रीकरपात्रीजी महाराज एवं परम धीतराग स्वामी श्रीकृष्णबोधाश्रमजी महाराज ब्रह्मलीन हैं। धर्मसंघको स्थापित हुए ५३ वर्ष हो चुके हैं। इस सुदीर्घकालमें उक्त महान् विभूतियोंके नेतृत्वमें धर्मसंघने गोरक्षाके लिये केन्द्रीय कानून बनवानेके हेतु जितना प्रबल प्रयास किया है वह भारतीय इतिहासके पृष्ठोंमें स्वर्णाक्षरोंमें अङ्कित रहेगा। इसे समयकी विपरीतता ही कहा जायगा कि इतना प्रबल प्रयास होनेपर भी देशके मस्तकसे गोहत्याका काला कलंक नहीं मिट सका। पर निराश होनेकी आवश्यकता नहीं है। श्रीमन्नारायणकी कृपासे एक दिन अवश्य ही गोहत्या-बंदीका स्वप्न साकार होगा और भारतमाताके मस्तकसे गोहत्याका काला कलंक सदाके लिये मिट जायगा।

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'.....गोरक्षा इस देशके नर-नारी, सबके लिये बड़ा भारी कर्तव्य है। दूध-घीपर ही भारतवासियोंका जीवन निर्भर है। जबसे गाय-बैल बड़ी निष्ठुरतासे मारे जाने लगे हैं, तबसे हमें चिन्ता हुई है कि हमारे बच्चे कैसे जीयेंगे?'

—लाला लाजपतराय

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विस्तृत अध्ययन कर 'गोहत्या-बंदी' के लिये अपनी रिपोर्ट दी थी।

स्वराज्य मिलनेके पश्चात् जब देशका संविधान बना तब संविधान-सभामें 'गोहत्या-बंदी' के प्रश्नपर विचार किया गया। संविधान-सभामें सभी धर्मों, जातियों, पक्षों और विचारोंके लोग थे। सभीने सर्वसम्मतिसे संविधानकी धारा ४८में इसे राज्योंके नीति-निर्देशक सिद्धान्तोंमें स्थान दिया।

सन् १९४७ में ही भारत सरकारने सर दातारसिंहकी अध्यक्षतामें पशु-संरक्षण एवं संवर्धनके विशेषज्ञोंकी एक समिति नियुक्त की थी। इस समितिने पूरे देशमें दो वर्षोंमें सम्पूर्ण 'गोहत्या-बंदी'की सिफारिश की थी।

संविधानके निर्देशानुसार और समितिकी सिफारिशोंको ध्यानमें रखकर उत्तरप्रदेश, मध्यप्रदेश, राजस्थान और बिहारमें 'गोवंश-हत्या-बंदी' कानून बनाये गये, लेकिन अन्य राज्य सरकारोंने इस दिशामें कोई पहल नहीं की। इसका एक कारण यह भी था कि यह विषय राज्यके नीति-निर्देशक सिद्धान्तोंमें है, जिन्हें लागू करनेकी कोई समय-सीमा संविधानने निर्धारित नहीं की है और किसी राज्य सरकारको इन्हें लागू करनेके लिये कानून बाध्य नहीं किया जा सकता। अतः गोरक्षामें श्रद्धा रखनेवालोंके सामने आन्दोलन करनेके अलावा कोई विकल्प नहीं रहा। सन् १९५१में भारत सरकारने प्रथम पञ्चवर्षीय योजना बनायी और उसपर चर्चके लिये विनोबाजीको निमन्त्रित किया। विनोबाजीने अत्यन्त आग्रहपूर्वक 'गोहत्या-बंदी' कानून बनानेकी बात रखी।

सन् १९५२में गोप्रेमी श्रीवीर रामचन्द्र शर्माने आमरण अनशन किया जो विनोबाजीके प्रयाससे छूटा। उस समय विनोबाजी बिहारमें भूदान-यज्ञके निमित्तसे पदयात्रा कर रहे थे। बिहारके तत्कालीन मुख्य मन्त्री श्रीकृष्णसिंहजीने बिहारमें 'गोवंशहत्या-बंदी' का कानून बनाया।

पटना उच्च न्यायालयमें कसाइयोंके प्रतिनिधियोंने इस कानूनको चुनौती दी। लेकिन उनकी अपील खारिज कर दी गयी और बिहार सरकारद्वारा पारित कानूनको वैध मान्य किया गया। लेकिन कसाइयोंने इस निर्णयके खिलाफ सर्वोच्च न्यायालयमें अपील की। सन् १९५८में सर्वोच्च न्यायालयने संविधानके ४८वें अनुच्छेदकी व्याख्या करते हुए निम्नांकित निर्णय दिया—

(अ) 'गायोंका क्रतल नहीं किया जा सकता। अगर बूढ़ी, बेकाम गायोंके क्रतलका छूट दी जाय तो अच्छी गायोंको भी नहीं बचाया जा सकता।' गायकी अवध्यताके लिये सर्वोच्च

न्यायालयने आर्थिक कारणोंका विश्लेषण प्रस्तुत किया।

(आ) बछड़े-बछड़ियोंका भी क्रतल नहीं किया जा सकता।

(इ) जवान और काम करने लायक बैलों, सौड़ों और दूध देनेवाली भैंसोंका भी क्रतल नहीं किया जा सकता।

(ई) बूढ़े, बेकाम बैलों, सौड़ों और बूढ़ी भैंसोंका क्रतल किया जा सकता है।

अन्तिम आंशिक छूटका यह नतीजा आया कि अनेक प्रदेशोंमें सम्पूर्ण 'गोवंश-हत्या-बंदी' कानून अर्थहीन और निकम्मे हो गये तथा बूढ़े, बेकामके नामसे स्वस्थ, जवान और सर्वोत्तम बैलोंका क्रतल शुरू हो गया। इस निर्णयका यह भी परिणाम हुआ कि उत्तरप्रदेश, बिहार और मध्यप्रदेशमें जहाँ सम्पूर्ण 'गोवंश-हत्या-बंदी' कानून बने थे, वहाँ उनमें संशोधन करके आंशिक कानून बनाने पड़े। यहाँतक कि मैसूरमें जहाँ गाँधीजीकी अनुमतिसे मिर्जा इस्माइलने सम्पूर्ण 'गोवंश-हत्या-बंदी कानून' बनाया था, वहाँ भी फरक करना पड़ा। केवल जम्मू-कश्मीर राज्यमें धारा ३७०के कारण सम्पूर्ण 'गोवंश-हत्या-बंदी' कानून लागू रहा। वहाँ गाय-बैलके क्रतलके लिये दस सालकी सजाका प्रावधान है।

सर्वोच्च न्यायालयका यह फैसला विनोबाजीसहित देशके सभी गोप्रेमियोंको ठीक नहीं लगा।

सन् १९५९ में राजस्थानमें विनोबाजीके सांनिध्यमें विशेषज्ञोंकी बैठक हुई। इसमें भारत सरकारके कृषि-पशुपालन-मन्त्री, सरकारी विशेषज्ञ और देशके प्रमुख गो-सेवक शरीक हुए थे। इसमें विनोबाजीने पुनः सम्पूर्ण 'गोवंश-हत्या-बंदी' कानून बनानेकी माँग की थी।

सन् १९६२के चीनके हमलेके पश्चात् देशमें आर्थिक संकट शुरू हुआ। उस समय विदेशी मुद्रा कमानेके हेतु सुझाव देनेके लिये एक सरकारी समिति बनायी गयी। इस समितिने यह रिपोर्ट दी कि मांस-निर्यातसे विदेशी मुद्रा कमायी जा सकती है। परंतु तत्कालीन प्रधान मन्त्री श्रीलालबहादुर शास्त्रीने इसे अस्वीकार कर दिया।

सन् १९६९ से [जो गाँधी-जन्म शताब्दी वर्ष भी था] भारतसे मांसका निर्यात शुरू हुआ। धीरे-धीरे विदेशी मुद्राका लोभ बढ़ता गया और देशमें क्रतलके लिये नये-नये आधुनिक क्रतलखाने बनने लगे। गाय-बैलका क्रतल जोरोंसे चलने लगा। दिन-प्रति-दिन यह पैमाना बढ़ता ही गया।

सन् १९६६में 'राष्ट्रिय स्वयं सेवक संघ' ने देशभरमें

दिसम्बर १९८१में पवनारमें 'अखिल भारतीय गोरक्षा-सम्मेलन' आयोजित किया गया था। उसमें देशभरसे गोप्रेमी और गोसेवक आये थे। सम्मेलनके पश्चात् गोरक्षा-कार्यमें लगे हुए कुछ सेवकोंने विनोबाजीसे चर्चा की। चर्चाके उपरान्त १ जनवरी १९८२को विनोबाजीने लिखा—'किसी भी उम्रकी गाय

और बैल इस देशमें न कटें इस हेतु बंबईमें सत्याग्रह करो। इसका प्रारम्भ शान्ति सैनिक करें।’

विनोबाजीने अपने आश्रमके अन्तेवासी तथा भारतीय शान्ति-सेनाके संयोजक श्रीअच्युत भाई देशपाण्डेको देशके १७ सेवकोंके साथ बंबईमें सत्याग्रह करनेका आदेश दिया।

इस प्रकार ११जनवरी १९८२से बंबईमें देवनार-स्थित एशियाके सबसे विशाल क्रतलखानेपर गोरक्षा-सत्याग्रह शुरू हुआ।

विनोबाजीके निर्देशानुसार यह सत्याग्रह सत्य, प्रेम, करुणाकी मर्यादामें अहिंसक, असाम्प्रदायिक और अराजनैतिक दृष्टिसे आज भी चलाया जा रहा है।

देवनार गोरक्षा-सत्याग्रहकी दो माँग है—

(१) कृषि-प्रधान भारतमें किसी भी उम्रके गाय-बैलके क्रतलपर कानूनी रोक लगायी जाय। इसके लिये केन्द्रीय कानून बने। तथा—

(२) भारतसे विदेशोंमें भेजे जानेवाले सभी प्रकारके मांसका निर्यात बंद हो।

### देवनार क्रतलखाना

देवनार क्रतलखाना एशियाका सबसे बड़ा क्रतलखाना है। यह विशाल क्षेत्रमें फैला आधुनिक यन्त्रोंसे सज्जित सार्वजनिक क्षेत्रका क्रतलखाना है। इसमें प्रतिदिन ग्यारह हजार प्राणी काटनेकी क्षमता है। इसमें आठ हजार भेड़, बकरे, एक हजार सूअर, दो हजार बैल और भैंस-भैंसे काटनेकी क्षमता है। इसका निर्माण चौथी पञ्चवर्षीय योजनाके समय हुआ। इसका संचालन बंबई महानगरपालिका करती है। इसमें लगभग तीन हजार कर्मचारी काम करते हैं। क्रतलखानेके अहातेमें ही पशु-बाजार लगता है, जहाँ देशभरसे पशु लाये जाते हैं। मांस-चमड़ेके व्यापारी उन्हें खरीदकर क्रतलखानेमें कटवा कर उनका मांस-चमड़ा विदेशोंमें और देशमें बेचते हैं। कारखानेमें ही शीतीकरण वाहनोंकी भी व्यवस्था है। हर रोज काटा हुआ ताजा मांस विशेष मालवाहक हवाई जहाजोंसे विदेशोंमें भी यहाँसे भेजा जाता है।

महाराष्ट्रमें ‘पशु-परिरक्षण’ कानून है। यहाँ पशु-चिकित्सक नियुक्त हैं। वे यह जाँचकर प्रमाणपत्र देते हैं कि अमुक पशु क्रतल-योग्य है। कानूनमें भारवहन, प्रजनन, खेती और दूधके अनुपयुक्त पशुओंका ही क्रतल किया जा सकता है। परंतु इस कानूनका परिपालन बिलकुल नहीं होता है। इसके कारण भ्रष्टाचार भी बहुत होता है।

जब देवनार क्रतलखाना बन रहा था, तब बंबईके नागरिकोंने इसका कड़ा विरोध किया था। तब उन्हें यह वचन दिया गया था कि ‘यहाँ केवल स्थानीय आपूर्तिके लिये ही क्रतल किया जायगा।’ परंतु इस वचनका भी कभी पालन नहीं किया गया। यहाँतक कि बंबई महानगरपालिकाने भी इसके लिये प्रस्ताव किया, परंतु कानूनमें महापालिका कमिश्नरको, चुने हुए प्रतिनिधियोंसे भी ज्यादा अधिकार प्राप्त है और सरकारके सीधे निर्देशोंके कारण उन्होंने महापालिकाका प्रस्ताव भी लागू नहीं किया। आयुक्त महोदयने यह जवाब दिया कि ‘देवनार क्रतलखानेमें यदि निर्यातके लिये क्रतल नहीं होगा तो क्रतलखानेका घाटा बहुत बढ़ जायगा, इसलिये निर्यातके लिये क्रतल बंद नहीं किया जा सकता।’

देवनार सत्याग्रहका स्वरूप—देवनार गोरक्षा-सत्याग्रह ११जनवरी १९८२से लगातार अखण्ड अनवरत चौबीसों घंटे चल रहा है। इसके साथ ही बान्द्रा रेलवे स्टेशनपर और सहार हवाई अड्डेपर भी लंबे अर्सेतक सत्याग्रह चला। सत्याग्रहका स्वरूप ऐसा है कि संख्याके अनुसार टोली क्रतलखानेके उस दरवाजेपर धरना देने जाती है जहाँसे बैल क्रतलखानेमें भेजे जाते हैं। यह टोली बैलोंको क्रतलखानेमें ले जानेसे रोकती है। इससे कसाइयोंके काममें बाधा पहुँचती है। उनकी सहायतामें पुलिस आकर सत्याग्रहियोंको गिरफ्तार करती है और उन्हें पुलिस थानेमें ले जाया जाता है। तब बैल क्रतलखानेके भीतर भेज दिये जाते हैं।

जब महिला सत्याग्रहियोंने सत्याग्रह किया तब महिला पुलिसने उन्हें गिरफ्तार किया।

कभी-कभी बंबईके हजारों लोगोंने एक साथ प्रदर्शन किया। देशभरसे आये सैकड़ों लोगोंने एक साथ सत्याग्रह किया। बड़ी संख्यामें आये पुलिस बलने उन्हें गिरफ्तार किया।

इस प्रकार गत १२ वर्षोंमें सारे देशसे लगभग तीन लाख लोगोंने सत्याग्रहमें भाग लिया। सभी धर्मों, पंथों, जातियों, भाषाओं और प्रान्तोंके लोगोंने सत्याग्रहमें भाग लिया।

सत्याग्रहकी उपलब्धियाँ—यद्यपि १२ वर्षके अखण्ड प्रयासके बावजूद ‘गोहत्या-बंदी’के लिये केन्द्रीय कानून बनानेका मुख्य लक्ष्य प्राप्त नहीं हो सका है, तथापि सत्याग्रहकी अनेक उपलब्धियाँ हैं।

गत वर्षोंमें अनेक राज्य सरकारोंने अपने प्रदेशोंके गोरक्षा-सम्बन्धी कानूनोंमें सुधार-संशोधन किये हैं। मध्यप्रदेश, उत्तरप्रदेश, गुजरात और दिल्लीमें सम्पूर्ण ‘गोवंश-हत्या-बंदी’



कानून बने हैं। उत्तरप्रदेशमें विधानसभामें कानून पारित हो गया है, परंतु अभी तक उसे राष्ट्रपतिकी सम्मति नहीं मिली है, इसलिये कानून लागू नहीं हुआ है। इस समय देशके नौ राज्य—जम्मू-कश्मीर, हिमाचल, हरियाणा, पंजाब, राजस्थान, मध्यप्रदेश, दिल्ली, गुजरात तथा उत्तरप्रदेशमें सम्पूर्ण गोवंशके क्रतल रोकनेके कानून बने हैं। मध्यप्रदेशके कानूनके विरोधमें कसाइयोंने जबलपुर उच्च न्यायालयमें अपील की थी, परंतु मध्यप्रदेश, उच्च न्यायालयने उनकी अपील खारिज कर सम्पूर्ण 'गोवंश-हत्या-बंदी' कानूनको संविधान-सम्मत मान्य किया है। उच्च न्यायालयने अपने निर्णयमें कहा है कि बैलकी उपयोगिताके सम्बन्धमें पुरानी धारणामें बुनियादी अन्तर हो गया है। अब सेन्द्रिय खादका महत्त्व अत्यधिक बढ़ गया है, क्योंकि यह सिद्ध हो गया है कि रासायनिक खादसे भूमिकी उर्वरा-शक्तिको क्षति पहुँचती है। रासायनिक कीटनाशकोंसे भूमि, जल और खाद्य पदार्थ प्रदूषित होते हैं। गोबर-गोमूत्रसे प्राप्त खाद और कीटनाशकोंका महत्त्व दिन-प्रति-दिन ध्यानमें

आ रहा है और बैल अपने जीवनके आखिरी समयतक गोबर-गोमूत्र देते रहते हैं जो खेतीके लिये अनिवार्य है और भूमिकी उर्वरा-शक्ति कायम रखनेके लिये भी जरूरी है।

अब यह सिद्ध हो गया है कि देशसे गाय-बैलके मांसका और क्रतली चमड़ेका निर्यात कर जितनी विदेशी मुद्रा प्राप्त होती है उससे कहीं ज्यादा विदेशी मुद्रा उन वस्तुओंके आयातपर खर्च करनी पड़ रही है जो गाय-बैलोंको जीवित रखकर कमायी जा सकती है।

गोरक्षा-सत्याग्रहने देशकी जनताको अहिंसक सत्याग्रहकी पद्धतिमें शिक्षित करनेका भी कार्य किया है।

वस्तुतः जितनी सज्जनता, शालीनता, सौम्यता और सातत्य समर्पणसे देवनारका गोरक्षा-सत्याग्रह चल रहा है वह बेमिसाल है। इसीका यह परिणाम है कि आज भी सभी सत्याग्रही इस बातपर दृढ़ हैं कि जबतक सारे देशमें 'गोवंश-हत्या-बंदी' का कानून नहीं बनता यह सत्याग्रह चलता ही रहेगा। [प्रे०-गोरक्षा-सत्याग्रह-संचालन-समिति]





# मेवात क्षेत्र गौ-वध व तस्करी का अड़्डा बना

एल.एल.शर्मा

जयपुर, 28 जून। मेवात क्षेत्र गौ वध और गौ तस्करी का अड़्डा बना हुआ है। अलवर और भरतपुर जिलों में स्थित इस क्षेत्र में रोजाना सैकड़ों की तादाद में गायें काटी जाती हैं।

पुलिस से यह तथ्य छिपा हुआ नहीं है, मगर वह बेवस है। संसाधनों के अभाव में वह कुछ नहीं कर पा रही। हालांकि पुलिस ने गौ वध तथा गौ तस्करी में लिप्त लोगों की लम्बी सूची तैयार कर राज्य सरकार के समक्ष भेज रखी है। पुलिस ने राज्य सरकार को इस तथ्य से भी अवगत कराया है कि गौ वध तथा गौ तस्करी में लिप्त लोगों को राजनैतिक संरक्षण प्राप्त है। इसके चलते वे कई दफ्तर पुलिस बल पर भी हमला बोल चुके हैं। पुलिस से प्राप्त जानकारी के अनुसार भरतपुर जिले में जुरहड़ा, पहाड़ी तथा गोपालगढ़ थाना इलाकों में काफी मात्रा में गायें काटी जाती हैं। जुरहड़ा में गौसिंगा, कलतरिया, झोंपड़ी तथा हरियाणा के पुनहना थाने की सीमा से लगते कलवाना गांवों में गौ वध की घटनाएं होती हैं। इसी तरह पहाड़ी थाना इलाके के घाटमिका, फतेहपुर, हुजरा व गाचानेर तथा गोपालगढ़ थानान्तर्गत पापड़ा, मनवाकी, उदेलावास, खारियावास, अम्बावाडी डर्फ जुलरू, हुस्स बजुतरू पीपल गांवों में काफी तादाद में गायें काटी जाती हैं। यहाँ एक पहाड़ है, जिसका आधा हिस्सा हरियाणा राज्य की सीमा में है। उस पहाड़ी पर काफी मात्रा में गायें काटी जाती हैं। इन गायों के शंभू को गोपालगढ़ थाना क्षेत्र के सीमावर्ती गांवों में कुछ लोग साइकिल तथा

मोटर साइकिलों से बेचते हैं। पुलिस ने गौ तस्करी के मार्गों को चिह्नित कर उनकी सूची राज्य सरकार के पास भेजी है। गोपालगढ़, पहाड़ी तथा जुरहड़ा थाना क्षेत्रों से होकर हरियाणा राज्य में जो गायें कटने के लिए जाती हैं, वह मुख्य रूप से हिन्दू बंजारे व साठियों द्वारा खरीद की जाकर दीसा के बसवा, वांदीकुई तथा अलवर के राजगढ़, रामगढ़ व गोविन्दगढ़ मार्ग से होती हुई भरतपुर के सोकरी, गोपालगढ़, पहाड़ी व जुरहड़ा थानों के सीमावर्ती गांवों से होती हुई हरियाणा राज्य में पहुंचती है। वैसे तो गौ शंभू की

## पुलिस ने राज्य सरकार को विस्तृत रिपोर्ट दी

बिक्री राजस्थान एवं उत्तर प्रदेश में प्रसंक्षेप अपराध है, लेकिन हरियाणा में इस संबंध में अलग से अधिनियम बना हुआ नहीं है। इसलिए यहाँ से जाकर गायें बड़ी मात्रा में काटी जाती हैं। भरतपुर जिले के पहाड़ी, जुरहड़ा तथा गोपालगढ़ थाना इलाकों में 30 गिरोंह गो वध तथा तस्करी का काम करते हैं। इसी प्रकार अलवर जिले के बहरोड़, बानसूर, मण्डावर, खैरधल, कोटकासिम, टपूकड़ा, तिजारा तथा किरानगढ़ बास थाना क्षेत्रों में भी 49 गिरोंह सक्रिय हैं। अलवर जिले में गौ तस्करी तथा गौ वध जैसे संगीन अपराध हरियाणा सीमा के जिला फरीदाबाद, गुड़गांव तथा राज्य के भरतपुर सीमा से जुड़े थाना क्षेत्रों में होते हैं। गौ तस्करी ने संगठित अपराध की प्रणाली बना ली है। इसमें

तेज गति से चलने वाले गोडियम यादनों में इन गायों को भरकर हरियाणा सीमा में प्रवेश के लिए हथियारों से लैस होकर गौ तस्करी हर कीमत पर अपने सुरक्षित क्षेत्र में पहुंचने का प्रयास करते हैं। अधिकतर गायें साध्वी नदी के रास्ते से इन क्षेत्रों में आती हैं। साध्वी नदी के आसपास के कुछ बंजारे अकालप्रस्त क्षेत्रों से छोड़ी गई गायों को हांककर इस नदी तक ले आते हैं। यहाँ इन गायों को वे गौ तस्करों को सस्ती कीमत पर उपलब्ध कराते हैं। कुछ गौ तस्कर पैदल ही हथियारों से लैस होकर रात को ही गायों को हांकते हुए किरानगढ़बास से लेकर भिवाड़ी के बीच हरियाणा की लगती हुई पतली सीमा पट्टी में से एक ही रात में निकालकर काले पहाड़ के सुरक्षित स्थान पर पहुंचाते हैं। प्रचुर मात्रा में पुलिस फोर्स को नहीं पाने पर ये गौ तस्कर उनका हथियारों से सामना करते हैं और गायों को भगाकर ले जाते हैं। आंकड़ों के अनुसार भरतपुर जिले के पहाड़ी थाने में 1990 से 2000 तक गौ हत्या के 25, थाना जुरहड़ा में 19, कामा में नौ, गोपालगढ़ में 11, खीग तथा नगर में छह-छह तथा सीकरी थाने में 15 मुकदमें दर्ज हुए हैं। इसी प्रकार अलवर जिले में वर्ष 1990 से मार्च 2001 तक गौ हत्या, गौ तस्करी तथा गौ मंदिर संबंधी 260 मामले दर्ज हुए हैं। पुलिस ने कुल 787 अभियुक्तों को गिरफ्तार किया है। पुलिस मुख्यालय ने सभी तथ्यों से राज्य सरकार को अवगत कराया है। पुलिस ने यह भी संकेत दिए हैं कि राजान या बग्यू नहीं पाया गया तो वह कभी भी सिग्नल टिक भंग से सकता है।



सत्यमेव जयते

# **ANNEXES**



## **CHAPTER II**

सत्यमेव जयते

## **EXECUTIVE SUMMARY**

## **LIST OF ANNEXES**

### **CHAPTER II - EXECUTIVE SUMMARY**

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## ANNEX II (1)

Paragraph 1.2

### (Copy of Resolution vide which the Commission was set up)

F.No.55-12/99-AHT  
Government of India  
Ministry of Agriculture  
Department of Animal Husbandry & Dairying  
NEW DELHI, the 2<sup>nd</sup> August, 2001

#### RESOLUTON

F. No.55-12/99-AHT ..... Cow and its progeny have a significant role in the agricultural and rural economy of our country. It is, therefore, necessary to formulate measures for their development in all possible ways. In order to review the relevant laws of the land relating to protection, preservation, development and well being of cattle and implementation of laws, regulations, standards, etc. for movement of cattle and improvement of functions of gaushalas/gausadans/pinjrapoles and to suggest such measures as may be deemed necessary to secure cattle wealth of India, the Government of India has decided to set up the "National Commission on Cattle". The Commission will consist of the following:

- |   |                 |
|---|-----------------|
| 1. Shri Dharampal   | Chairman        |
| 2. Justice Guman Mal Lodha  | Vice-Chairman   |
| 3. Master Munshi Singh, President, Goshala, New Police<br>Post, Railway Road, Khedhda, District Baghpat |                 |
| 4. Shri Rajiv Gupta   | MemberSecretary |
| 5. Justice Ranganath Misra, MP (RS), Cuttack, Orissa  |                 |
| 6. Shri Manchana Gunde Rao, Mahaboob Nagar, Andhra Pradesh  |                 |
| 7. Shri Laximinarain Modi, New Delhi  |                 |
| 8. H. H. Jagadguru Sri Sri Balagangadharanatha Mahaswamiji, Bangalore, Karnakata                        |                 |
| 9. Shri C. Udayabhaskar Nair, Palakkad, Kerala  |                 |
| 10. Shri Hukum Chand Sawla, Indore, Madhya Pradesh  |                 |
| 11. Shri Kesarichand Sampatraj, Mahta, Malegaon, Maharashtra  |                 |
| 12. Shri Sunil B. Mansingha, Nagpur, Maharashtra  |                 |
| 13. Shri Bhawarlalji Kothari, Bikaner, Rajasthan  |                 |
| 14. Shri K. L. Godha, Udaipur, Rajasthan  |                 |
| 15. Shri Gohar Aziz, Chennai, Tamilnadu   |                 |
| 16. Shri P. Haridas, Chennai, Tamilnadu   |                 |
| 17. Ingrid E. Newkirk, PETA, P.O. Box 28260, Juhu, Mumbai-400 049                                       |                 |

## **2. TERMS OF REFERENCE OF THE COMMISSION**

- a) To review the relevant laws of the land (Centre as well as States) which relate to protection, preservation, development and well being of cow and its progeny and suggested measures for their effective implementation,
- b) To study the existing provisions for the maintenance of Goshalas, Sosadans, Pinjrapoles and other organizations working for protection and development of cattle and suggest measures for making them economically viable.
- c) To study the contribution of cattle towards the Indian economy and to suggest ways and means of organizing scientific research for maximum utilization of cattle products and draughts animal power in the field of nutrition and health, agriculture & energy, and to submit a comprehensive scheme in this regard to the Central Government.
- d) To review and suggest measures to improve the availability of feed and fodder to support the cattle population.

## **3. POWERS OF THE COMMISSION**

The Commission will have the following powers and duties:

- a) To seek public opinion in matters covered by the terms of reference,
  - b) To accept memoranda and representations,
  - c) To visit and interact with various Central and State Government offices and Institutions/organizations engaged in the field of preservation, production and improvement of cow and its progeny.
  - d) To take all such steps which are necessary in furtherance of its terms of reference.
  - e) To suggest and give recommendations on its objects and terms of reference and any other subject which is entrusted to it by the Government of India, during its tenure.
2. The Commission will decide its quorum and other issues regarding its functioning. The Commission would have its headquarter at Delhi but it will be free to have sittings in any part of the country.

## **5. TERMS OF OFFICE, ALLOWANCE ETC.**

5.1 The Commission will be assisted by a secretariat headed by a full time Member Secretary. Appropriate boarding/lodging, TA/DA and transport arrangements for the Chairman, Vice-Chairman and members of the Commission will be made by the Ministry of Agriculture, Department of Animal Husbandry & Dairying and regulated as per the instructions issued by the Ministry of Finance from time to time. The Ministry of Agriculture, Department of Animal Husbandry & Dairying will bear the expenditure involved in all the activities from the budget allocation of the Department.

5.2 The term of the Commission will be one year from its establishment, during which period it will submit its report to the Government.

(sd/-)  
(D.S.Negi)  
Joint Secretary to the Government of India

New Delhi  
Dated: 2<sup>nd</sup> August 2001

### **ORDER**

ORDERED that a copy of the Resolution be communicated to :-

- (i) Secretaries to all Ministries / Departments of Government of India
- (ii) Chief Secretaries to all States/Union Territories

ORDERED also that the Resolution be published in the Gazette of India (Extraordinary) dated the 2<sup>nd</sup> August, 2001 for general information and for giving wide publicity to the setting up of the National Commission on Cattle.

(sd/-)  
(D. S. Negi)  
Joint Secretary to the Government of India

## ANNEX II (2)

### Paragraph 1.3

#### List of Members of the National Commission on Cattle

1. Shri Dharampal, Chairman,  
Sevagram, Wardha – 442 001  
Tel.No. 07152-84441; Mobile No. 9810520801  
e-mail address: [dharampal1234@rediffmail.com](mailto:dharampal1234@rediffmail.com) , [tvchat@ndb.vsnl.net.in](mailto:tvchat@ndb.vsnl.net.in)
2. Justice Guman Mal Lodha, Vice Chairman,  
F-1, Maharani Bagh,  
New Delhi – 110 065.  
Telefax No. 011- 631 0700; Mobile No. 98100 87408  
e-mail address: [awbi@del3.vsnl.net.in](mailto:awbi@del3.vsnl.net.in)
3. Smt. Chitra Gouri Lal, Member Secretary &  
Joint Secretary to the Govt. of India, Department of A.H. & Dairying,  
R.No. 243, Krishi Bhavan, New Delhi 110 001.  
Telephone No. 011 – 3384509; Telefax No. 011 - 3385680  
e-mail address: [chitralal@nic.in](mailto:chitralal@nic.in) and [chitralal@hotmail.com](mailto:chitralal@hotmail.com)
4. Master Munshi Singh,  
President, Goshala,  
New Police Post, Railway Road,  
Khekhda, Dist. Baghpat.  
Tel. No. 011 912 33318
5. Justice Ranganath Misra, MP (RS),  
AB-89 Shajahan Road,  
New Delhi – 110 003.  
Tel. No. 3782204.  
e-mail: [rmisra@sansad.nic.in](mailto:rmisra@sansad.nic.in)
6. Shri Manchana Gunde Rao,  
1/121-1 Bhageerathi, Sreeniwasa Nagar,  
Post Jadeherla Town,  
Distt. Mehboob Nagar – 509 302 (AP)  
Tel.No. 08542- 33967 (O); 33968 (R)
7. H.H. Jagadguru Sri Sri Balaganbgadharanatha Mahaswamiji  
Sri Adi Chunchanagiri Mahasamsthan Mutt,  
Vijayanagar, Bangalore – 560 040.



8. Shri Hukum Chand Sawla,  
H.No. 784, Sudhama Nagar,  
Indore – 9, M.P. Tel.No. 0731-481401
9. Shri C. Udayabhaskar Nair,  
5/379 "Divyodayam", Kallepully Road, Puthur,  
Palakkad, Kerala 678 001  
Tel.No. 0491-526603; Fax No. 0491– 540901; Mobile No. 98230 64230  
e-mail: [nairsons@sancharnet.in](mailto:nairsons@sancharnet.in)
10. Shri Kesri Chand Mehta,  
P.B. No. 115,  
99, Tilak Road, Malegaon,  
Dist. Nasik – 423 203 (Maharashtra)  
Tel. No. 0255-430849 (Res.fax) ; 430162 (O)  
e-mail: [ykmehta@zeenext.com](mailto:ykmehta@zeenext.com)
11. Shri Sunil B. Mansinghka,  
Go Vigyan Anusandhan Kenra,  
Kamdhenu Bhawan,  
Pandit Bachraj Vyas Chowsk Mahal,  
Nagpur – 440 002.  
Tel.No. 0712-734182  
e-mail: [gauseva@hotmail.com](mailto:gauseva@hotmail.com)
12. Shri Bhawarlal Kothari,  
Oswal Kothari Mohalla,  
Bikaner (Rajasthan) – 334 005.  
Telefax: 0151 521427 / 543277
13. Shri K.L. Godha,  
"Prabhu Prasad" 222, Ashok Nagar,  
Shastri Marg, Udaipur (Rajasthan).  
Tel.No. 0294-410243  
e-mail: [klgodha@yahoo.com](mailto:klgodha@yahoo.com)
14. Smt. Gohar Aziz,  
BPMS 4/321,  
Anna Salai, Palavakkam,  
Chennai – 600 041 Tel. No. 044-4511458
15. Shri P. Haridas, Senior Advocate,  
"Srinath Bagh",  
1, Nowroji Road,  
Chennai – 600 031.  
Tel.No. 044 - 6413151; 6413222  
e-mail: [haridas@hotmail.com](mailto:haridas@hotmail.com)

## ANNEX II (3)

Paragraph 3.2

### **Composition and details of tasks allocated to the five Committees set up by the National Commission on Cattle at its first meeting on 13.8.2001.**

#### **I. Cattle Laws and Legislation Committee.**

##### Composition:

Justice Ranganath Misra	-	Convener
Shri P. Haridas	-	Member
Shri A.V. Sharma	-	Consultant

##### Tasks Allocated:

- 1) To review the relevant laws of the land (Central as well as States), which relate to protection, preservation, development and well-being of cow and its progeny and suggest measures for their effective implementation.
- 2) To suggest legislative enactments/amendments and framing of central / interstate laws and laying down of procedure for prohibiting / regulating interstate movement of cow and its progeny on foot, by road, by rail or by road.
- 3) To suggest methods of national awakening and education and use of mass media for creating compassion for cow and its progeny as required by Article 51A and to effectively implement Article 47 & 48 of the Constitution.
- 4) Any other allied subjects.

#### **II. Committee for Administration of Cattle Laws**

Committee for Administration of Cattle Laws and to suggest ways and means to combat the problem of illegal slaughter, slaughter houses, meat export, cattle smuggling and exodus of cattle to Bangladesh and Kerala.

##### Composition:

Shri Kesari Chand Mehta	-	Convener
Smt. Gohar Aziz	-	Member
Shri Udailal Jaroli	-	Consultant

##### Tasks allocated:

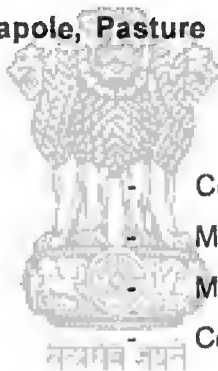
- 1) To suggest measures for the effective implementation of all the relevant laws of the land for the protection, preservation, development and well being of cattle.

- 2) To suggest ways and methods and machinery for effective implementation and enforcement of these laws and to plug the loopholes by administrative measures including effective 'pairavi' in various courts.
- 3) To consider the feasibility and to suggest interstate coordinated action including constitution of interstate task force for effective implementation of cattle laws.
- 4) To suggest ways for stopping the camouflage and illegal methods used for export of beef and to ensure effective implementation of prohibition on export of meat and live cows and its progeny.
- 5) To recommend about meat export policy of the Government and the policy regarding slaughter houses so as to stop the export of meat.
- 6) To suggest ways for creating effective awareness for prohibiting beef eating in public places like hotels, restaurants, resorts, Government Guest Houses etc.
- 7) To suggest ways and methods for proper regulation of cattle markets and fairs so that animals are bought/sold for genuine agricultural and dairying purpose only.
- 8) Any other allied subjects.

### III. **Goshala, Gosadan, Pinjarapole, Pasture Land and Fodder Development Committee.**

#### Composition:

Shri Bhanwar Lal Kothari	-	Convener
Master Munshi Singh	-	Member
Shri Manchana Gunde Rao	-	Member
Dr. Niranjana Mishra	-	Consultant



#### Tasks allocated:

- 1) To study the existing provisions for the maintenance of Goshalas, Gosadans, Pinjarapoles and other organisations working for protection and development of cattle and suggest measures for making them economically viable.
- 2) To review and suggest measures to improve the availability of feed and fodder to support the cattle population.
- 3) To suggest ways for making grazing land available for cattle and development of pastures and ensuring effective implementation of laws ear-marking gochar / pasture lands in various States and Centre. To also suggest how pasture land or grass of the forest can be utilised for the grazing of the cattle and how gosadans can be established in forest land by the forest department to keep stray and left over cattle in the forest.
- 4) Provision of Government land or land belonging to local bodies for pasture and fodder development including canals, water reservoirs and rivers.
- 5) To suggest ways and methods for providing relief to cow and its progeny in areas afflicted by natural calamities.

- 6) To suggest ways for ensuring availability of good quality fodder, medicines and vaccines at reasonable prices everywhere all the year round, establishment of fodder bands and banning of harvesting implements / practices which destroy fodder.
- 7) To suggest ways for establishment and strengthening of Shelters, Goshalas and Gosadans, where infirm, abandoned, stray, rescued, confiscated or seized cow and its progeny may be kept and maintained and the dung and urine etc. utilised to make it self-sustaining. Also, to suggest ways for promoting NGOs / individual farmers in this regard.
- 8) To suggest provisions for allotment of land and funds to various organisations working for the welfare of cattle.
- 9) Any other allied subjects.

#### **IV. Cattle products, by-products and energy utilisation and research Committee.**

##### Compositi

- hand Sawla - Member  
Dr. A. K. Dorle - Consultant

##### Tasks allocated:

- 1) To study the contribution of cattle towards the Indian economy and to suggest ways and means of organizing scientific research for maximum utilization of cattle products and draught animal power in the field of nutrition and health, agriculture and energy, and to submit a comprehensive scheme in this regard to the Central Government.
- 2) To study how and by what methods cow and its progeny can be made economically self-reliant and commercially profitable and suggest the ways and methods for the following:
  - i) Use of cow dung, urine, milk and milk products for bio-fertilizers, medicines, pesticides, energy, electricity
  - ii) Promotion of organic farming and marketing/export of such agricultural and horticultural produce at higher prices.
  - iii) Development and use of bullock-driven tractors, carts, pumps, generators and other implements.
  - iv) Constitution of high-level Government research centres and promotion of Institutions and NGOs for the above.
- 3) To suggest Government's involvement and use of mass media and other ways and methods to promote the above utilisation of cow dung and cow urine, organic farming and bullock-driven implements.
- 4) To establish the economic utility of the cow/bullock for the family and goshalas for the community.

- 5) To build up the rural development process centered around the cow and its progeny by running agriculture and rural industry on cow dung, urine, milk and milk products and draught power of the bullock.
- 6) To suggest ways and methods and Government machinery for utilisation of the cow after natural death by immediate deskinning and processing of the carcasses and to suggest ways for imposition of strict ban on use of cow leather and other products of slaughtered animals.
- 7) Any other allied subjects.

#### Breed improvement and preservation Committee

##### Composition:

Shri Laxmi Narain Modi	-	Convener
Shri K. L. Godha	-	Member

(Note: On resignation of Shri Modi, Shri Godha was made the Convener. There was no Consultant and the Report of this Committee was prepared by the Member Secretary).

##### Tasks allocated:

- 1) To promote and improve Indian breeds and establish the nutritive value of their milk and draught power of their bullocks as compared to the foreign breeds.
- 2) To study and review the functioning of animal husbandry departments of various States / Centre to ensure proper breeding, medical, certification policies / procedures etc.
- 3) To study and give suitable recommendation about embryo transplant, artificial insemination, natural service, castration etc.
- 4) Any other allied subjects.

## ANNEX II (4)

Paragraph 4.2

### NATIONAL COMMISSION ON CATTLE

(Rashtriya Govansh Ayog)

#### QUESTIONNAIRE

Information / data to be furnished by the State Government officials, NGOs, Institutions and members of the public

- i) *Kindly attach additional sheets wherever required.*
- ii) *Please note that the term 'cattle' covers the species of cow and its progeny, bullocks, and calves and does not cover buffaloes and other bovine species.*

#### LEGISLATION

1. Does the State have any laws / regulation for protection of Cow and its progeny? If so, a copy of the legislation and rules / regulation issued thereunder may be furnished.
2. Is slaughter of Cow and its progeny banned? If so, is it Total or Partial? Please highlight the relevant provisions.
3. Are there provisions for impositions of penalties, fines and prosecution of those persons who infringe the provisions of the law? If so, give the maximum quantum of fine/ penalty that can be imposed and the maximum term of imprisonment prescribed under the law.

#### IMPLEMENTATION ISSUES

4. Which are the implementing agencies for enforcement of the provisions of the law? Give their designations and organizational structures
5. How many acts of violation of the laws have been registered in the last 5 years. Please give year-wise break-up.
6. How many cases have resulted in imposition of fines, penalties and / or prosecution? Please give the break-up for the last five years.
7. Do you feel that the number of cases registered and / or the number of these which have reached a logical conclusion reflects the ground realities? If not, what do you estimate is the percentage of detected cases vis-a-vis the number of actual violations which may be taking place? Tick one of these :

0 –25%

25 – 50%

50-75%

75-100%

8. What according to you, are the reasons for the low rate of detection and / or finalisation of cases?
9. Do you feel that any amendments are required in the laws, procedures or guidelines are required to improve the rate of detection / conviction? If so, what are these changes?
10. What are the loop-holes, if any, in the provisions of the law and regulations, which enable people to violate the law with impunity?
11. Do you feel that the penal provisions are sufficient to act as a deterrent to would-be violators of the law? If not, what do you feel should be the quantum of penalty / fine or maximum term of imprisonment prescribed?
12. Are you aware of the provisions of the Prevention of Cruelty to Animals Act, and Rules issued thereunder, especially those relating to cruelty to cattle during transportation and slaughter?
13. Can cattle be transported or sent outside the State for any purpose? If so, please state the purpose/s.
14. What is the implementation machinery for enforcing the provisions of the Act and Rules relating to transportation etc. of cattle? Who are the agencies responsible?
15. How many cases of violation have been detected in the past 5 years? How many of these resulted in imposition of fines / penalties and/or conviction /imprisonment. Please give details.
16. Please give the district-wise figures of cattle population in the State, according to estimates/figures collected by the State Government in the format at Annex I.
17. Has there been a declining trend in the total number of cattle in the State over the last 10 years or so?
18. If so, what do you think is the most important factor contributing to this trend? Please ascribe a number to each of the suggested factors from 1 to 8, 1 signifying the most important factor and 8 the least one.
  - a) The number of cattle slaughtered legally has gone up over the years.
  - b) The number of cattle slaughtered illegally has gone up over the years.
  - c) The birth rate of cattle has gone down because farmers do not find it economical or possible to maintain many animals.
  - d) Farmers sell off surplus cattle for slaughter or for transport out of the State.
  - e) Farmers do not multiply their stock of cattle for the reason that they cannot maintain more animals.
  - f) Farmers prefer to replace cattle with buffaloes because of higher fat content of milk and also for their meat, because buffaloes can be slaughtered while cow and its progeny cannot.

- g) Tractorisation has resulted in less utilisation of bullocks for animal power and therefore lesser numbers are maintained by farmers.
- h) The number of cattle dying due to disease has increased.
- i) The number of cattle dying due to lack of feed, fodder, health-care or due to drought conditions has increased.
- j) Any other reason. (Please specify).

### **BREEDING**

19. Does the State have a breeding policy for cattle? If so, please list its salient features. Attach a copy of the Policy document, if any.
20. Is the breeding policy tilted in favour of increasing the number of buffaloes in relation to that of the cattle?
21. Do you feel that farmers find it more profitable to keep buffaloes? If so, what do you think are the reasons? Is it because of the higher fat content of buffalo milk or the fact that buffaloes can be slaughtered for the meat and hides or both?
22. What are the major indigenous breeds of cattle prevalent in the State?
23. List the major features, strong points and parameters like milk yield, breed-wise.
24. Has there been a decline in the numbers of any of these breeds? Have any breeds become extinct or are nearing extinction? If so, name them, with numbers to show this finding.
25. What are the reasons for the decline, if any, in the numbers of indigenous breeds? What could be done to conserve and protect these breeds?
26. Is the State participating in the recently launched National Project of Cattle and Buffalo Breeding of the Central Government? If so, what are the projections / targets etc. envisaged? Please give details for cattle and buffalo separately.
27. Do you feel that the Project will fulfill its objectives? Have you any suggestions for improving the procedures, delivery systems and implementation of this Project.
28. Do you feel that artificial insemination is the best way of conserving or propagating indigenous breeds? What do you believe are the comparative advantages of artificial insemination over natural service or vice versa?
29. Do you believe that India should conserve its indigenous breeds (which have lower productivity but higher resistance to disease) rather than go in for massive cross-breeding with foreign strains to increase the milk-yield per animal, even though these breeds have less resistance to disease?



30. Do you feel that Integrated Livestock Projects, where farmers or farmers' groups maintain different species of animals such as cows, buffaloes, goats, sheep, poultry is a good measure for income generation, poverty alleviation in rural areas?

### **DRAUGHT ANIMAL POWER**

31. Have there been any studies on the potential economic use of bullocks for draught animal power? If so, furnish copies. Do you feel that the full potential is being utilised?
32. How far has tractorisation affected the number of bullocks being maintained by farmers for draught animal power?
33. Do you feel that farmers generally prefer male buffaloes over bullocks for use as draught animal power? If so, what are the reasons?
34. Has there been any study to show the saving on fuel like diesel and also the beneficial effects on the environment, if tractors are replaced by bullock-drawn carts for ploughing the fields and for transport of produce and people from farms to the markets etc.? If so, furnish copies.
35. Has there been any research for developing yokes for bullock-carts so that animals do not suffer injuries on the neck and shoulders due to heavy-loads. Are there any standards regarding the loads that can be drawn by the animals? If so, what are they and how are they enforced?

### **FEED AND FODDER**

36. What is the total land area in the State (District-wise) under cultivation of fodder crops? Please give separate figures for exclusive fodder crops and other crops whose residues are used as fodder.
37. What are the major fodder crops? What are the major crop residues used as fodder? What is the quantum of fodder produced annually in the State for the last 5 years. District –wise figures may be given for each crop or crop residue?
38. What is the area of grass-lands and community lands available for grazing of cattle?
39. What percentage of cattle are stall-fed?
40. What is the annual production of oil-cakes over the last five years? How much has been used as cattle feed?
41. What is the per-head availability of feed and fodder in different parts of the State? Is this quantity sufficient for proper nutrition and maintenance of cattle?
42. Do you feel that a sustainable level of cattle population should be maintained in view of limited land and other resources? If so, how do you feel this could be achieved? Please give your suggestions.

### **SLAUGHTER HOUSES**

43. What are the laws regarding establishment of slaughter-houses and carcass-utilisation units in the State? Is there a common law or do different Municipalities and local bodies have their own regulations? Please furnish copies of the laws.
44. How many registered slaughter-houses and carcass-utilisation units are there in the State? District-wise figures may be furnished.
45. Are these units required to maintain records of the numbers of animals slaughtered. Do these records show the details regarding species, age and gender of the animals? How often are these records verified / checked? (Samples of the checked records may be furnished).
46. What is the total annual production of meat, species-wise by these slaughter houses? How many animals are slaughtered annually? Give details of species, age and gender for the last 5 years.
47. What are the checks exercised to ensure that illegal slaughter of cattle does not take place?
48. What is your estimate of the number of illegal slaughter houses in the State and the number of cattle being slaughtered therein?
49. Has any study been made with regard to estimating the number of illegal slaughter houses, their capacities and the extent to which cattle laws are being violated by them? If so, please furnish copies of these studies / reports.
50. Have you received any oral or written complaints of production and export of beef / cow meat in the guise of buffalo meat? If so, give details. Do you have reason to believe that this might be taking place, even if you have not received such complaints?

### **GOSHALAS AND GOSADANS**

51. How many registered Goshalas, Gosadans and Pinjrapoles are there in the State? Give District-wise details along with the number of cattle maintained by them.
52. What do people normally do with cows which run dry or bullocks which are infirm or aged? How do the Goshalas collect such animals if they are left to stray by their owners? What happens to stray cattle impounded in municipal areas?
53. Have any standards / norms been fixed with regard to maintenance, feed / fodder, health care, breeding etc. of cattle in these organisations? If so, what are these norms and how is it ensured that the organisations are following them?

## **CATTLE PRODUCTS AND BY-PRODUCTS**

54. Have there been any studies to show the benefits to human health of using milk and milk products like ghee, cheese, butter etc. from the cow as against those obtained from buffalo? If so, please furnish copies.
55. Is there any direction to the Dairy farmers and cooperatives to segregate cow-milk from buffalo-milk and to label them and market them separately? Even if there is no such direction, do you feel that awareness can be built amongst consumers regarding the beneficial effects of cow milk, which would not only encourage such segregation but would influence the farmers to produce more and more cow-milk, which would lead to an increase in the cattle wealth of the country.
56. Have any studies or research experiments been conducted regarding the huge economic benefits of utilizing cattle by-products such as cow dung for manure and fuel, cow urine for medicinal value and so on? If so, give details.
57. What do you feel are the benefits of organic farming in order of priority?
  - Using cow dung as manure would result in reduction in use of fertilisers, which have very harmful effects on human health.
  - Using cow urine as pesticides, in place of man-made pesticides, residues of which have very harmful effects on human health.
  - Enrichment of soil, which has lost its nutrients over the years due to excessive use of fertilisers and pesticides.
  - The farmer would not only be able to cut down on costs for fertilisers and pesticides, he could also sell surplus manure to others and thereby earn some additional income.

Use of dried cow dung as a fuel or producing gobar gas would cut down on fuel costs of the farmer for cooking, lighting etc. It would also save the trees from being cut for fire-wood.

## **Annex I**

### **Total Number of cattle in the State (District-wise)**

	Name of District	1951	1961	1972	1982	1992	1997	1998	1999	2000	2001
1.											
2.											
3.											

**ANNEX II (5)**

Paragraph 5.1

**NATIONAL COMMISSION ON CATTLE****Schedule of Public Hearings and Meetings with officials.**

S.No.	State / Place	Date	Venue
	<b>Maharashtra</b>		
1.	Mumbai	16.1.2002	Bombay Veterinary College
2.	Nagpur	18.1.2002	Office of Regional Dir. (AH)
3.	Wardha	19.1.2002	Sevagram Ashram
	<b>Gujarat</b>		
4.	Ahmedabad	21.1.2002	Annex Circuit House
5.	Vadodara	23.1.2002	Narmada Rest House
6.	Anand	24.1.2002	NDDDB Office
	<b>Rajasthan</b>		
7.	Jaipur	04.2.2002	DRDA Hall
8.	Jodhpur	06.2.2002	DRDA Hall
9.	Pali	09.2.2002	DRDA Hall
10.	Jaisalmer	11.2.2002	DRDA Hall
	<b>Bihar</b>		
11.	Patna	28.2.2002	Vety. College
	<b>Jharkhand</b>		
12.	Ranchi	02.3.2002	Vikas Bhavan
	<b>West Bengal</b>		
13.	Kolkata	19.3.2002	W.B. University of Animal and Fishery Sciences
	<b>Assam &amp; NE States</b>		
14.	Guwahati	21.3.2002	Directorate of Tourism
	<b>Madhya Pradesh</b>		
15.	Indore	08.4.2002	Residency Koti
16.	Bhopal	09.4.2002	Appex Bank Meeting Hall
	<b>Uttar Pradesh</b>		
17.	Lucknow	09.5.2002	Regl. Science Centre
18.	Kanpur	10.5.2002	Krishak Sabagar
19.	Varanasi	11.5.2002	Krishi Bhavan
	<b>Uttaranchal</b>		
20.	Dehradun	13.5.2002	Meeting Hall Commissionerate
	<b>Haryana</b>		
21.	Hissar	20.5.2002	Haryana Vety. Training Instt.

S.No.	State / Place	Date	Venue
22.	<b>Punjab</b> Amritsar	21.5.2002	Guest House
23.	<b>U.T. of Chandigarh</b> Chandigarh	23.5.2002	UT Guest House
24.	<b>Himachal Pradesh</b> Shimla	25.5.2002	State Guest House
25.	<b>NCT of Delhi</b> Delhi	01.6.2002	C.M. Conference Room
26.	<b>Orissa</b> Bhubaneswar	04.6.2002	Sujana Bhavan
27.	Cuttack	05.6.2002	Circuit House
28.	<b>Andhra Pradesh</b> Hyderabad	07.6.2002	A.P. Vety. Association
29.	Visakhapatnam	08.6.2002	Office of the Dy Director, AH
30.	Vijayawada	09.6.2002	Vety. assn. Hall
31.	<b>Karnataka</b> Mysore	11.6.2002	Mysore Pinjarapole Society
32.	Bangalore	13.6.2002	Sheep Board Hall
33.	<b>Goa</b> Panaji	14.6.2002	Departmental Farmers Training Centre
34.	<b>Kerala</b> Trivandrum	24.6.2002	Govt. Guest House
35.	Kochi	25.6.2002	Collectorate Conference Hall
36.	<b>Tamil Nadu</b> Chennai	26.6.2002	Veterinary Polyclinic
37.	Kanchipuram	27.6.2002	Veterinary Hospital
38.	Coimbatore	28.6.2002	Veterinary Policlinic

## ANNEX II (6)

Paragraph 9.3

### COMPILATION OF VIEWS OF MAHATMA GANDHI ON COW PROTECTION

1. (From <http://www.mkgandhi.org/memgbook/Chap.81.html> )

<b>81. COW PROTECTION</b>
<b>PLACE OF THE COW</b>
THE COW is a poem of pity. One reads pity in the gentle animal. She is the mother to millions of Indian mankind. Protection of the cow means protection of the whole dumb creation of God. The ancient seer, whoever he was, began with the cow. The appeal of the lower order of creation is all the more forcible because it is speechless. <sup>316</sup>
... The cow is the purest type of sub-human life. She pleads before us on behalf of the whole of the sub-human species for justice to it at the hands of man, the first among all that lives. She seems to speak to us through her eyes: 'you are not appointed over us to kill us and eat our flesh or otherwise ill-treat us, but to be our friend and guardian'. <sup>317</sup>
I worship it and I shall defend its worship against the whole world. <sup>318</sup>
Mother cow is in many ways better than the mother who gave us birth. Our mother gives us milk for a couple of years and then expects us to serve her when we grow up. Mother cow expects from us nothing but grass and grain. Our mother often falls ill and expects service from us. Mother cow rarely falls ill.
Here is an unbroken record of service, which does not end with her death. Our mother, when she dies, means expenses of burial or cremation. Mother cow is as useful dead as when she is alive. We can make use of every part of her body-her flesh, her bones, her intestines, her horns and her skin. Well, I say this not to disparage the mother who gives us birth, but in order to show you the substantial reasons for my worshipping the cow. <sup>319</sup>
<b>THE COW IN HINDUISM</b>
The central fact of Hinduism is cow protection. Cow protection to me is one of the most wonderful phenomena in human evolution. It takes the human being beyond this species. The cow to me means the entire sub-human world. Man through the cow is enjoined to realize his identity with all that lives. Why the cow was selected for apotheosis is obvious to me. The cow was in India the best companion. She was the giver of plenty. Not only did she give milk, but she also made agriculture possible.....
Cow protection is the gift of Hinduism to the world. And Hinduism will live so long as there are Hindus to protect the cow.....

Hindus will be judged not by their TILAKS, not by the correct chanting of MANTRAS, not by their pilgrimages, not by their most punctilious observances of caste rules, but their ability to protect the cow. <sup>320</sup>
<b>COW-SLAUGHTER</b>
I would not kill a human being for protection a cow, as I will not kill a cow for saving a human life, be it ever so precious. <sup>321</sup>
My religion teaches me that I should by personal conduct instil into the minds of those who might hold different views, the conviction that cow-killing is a sin and that, therefore, it ought to be abandoned. <sup>322</sup>
Cow slaughter can never be stopped by law. Knowledge, education, and the spirit of kindness towards her alone can put an end to it. It will not be possible to save those animals that are a burden on the land or, perhaps, even man if he is a burden. <sup>323</sup>
My ambition is no less than to see the principle of cow protection established throughout the world. But that requires that I should set my own house thoroughly in order first. <sup>324</sup>
Cow protection to me is not mere protection of the cow. It means protection of that lives and is helpless and weak in the world. <sup>325</sup>
But let me reiterate....that legislative prohibition is the smallest part of any programme of cow protection.
...People seem to think that, when a law is passed against any evil, it will die without any further effort. There never was a grosser self-deception. Legislation is intended and is effective against an ignorant or a small, evil-minded minority; but no legislation which is opposed by an intelligent and organized public opinion, or under cover of religion by a fanatical minority, can ever succeed.
The more I study the question of cow protection, the stronger the conviction grows upon me that protection of the cow and her progeny can be attained only if there is continuous and sustained constructive effort along the lines suggested by me. <sup>326</sup>
<b>GOSEVA</b>
Preservation of cattle is a vital part of GOSEVA. It is a vital question for India . . . There is urgent need for deep study and the spirit of sacrifice. To amass money and dole out charity does not connote real business capacity. To know how to preserve cattle, to impart this knowledge to the millions, to live up to the ideal oneself, and to spend money on this endeavour is real business. <sup>327</sup>

In so far as the pure economic necessity of cow protection is concerned, it can be easily secured if the question was considered on that ground alone. In that event all the dry cattle, the cows who give less milk than they keep, and the aged and unfit cattle would be slaughtered without a second thought. This soulless economy has no place in India, although the inhabitants of this land of paradoxes may be, indeed are, guilty of many soulless acts.
<b>POSITIVE MEASURES</b>
Then, how can the cow be saved without having to kill her off when she ceases to give the economic quantity of milk or when one becomes otherwise an uneconomic burden? The answer to the question can be summed up as follows:
By the Hindus performing their duty towards the cow and her progeny. If they did so, our cattle would be the pride of India and the world. The contrary is the case today.
By learning the science of cattle-breeding. Today there is perfect anarchy in this work.
By replacing the present cruel method of castration by the humane method practised in the West.
By thorough reform of the PINJRAPOLES [institutions for aged cows] of India, which are today, as a rule, managed ignorantly and without any plan by men who do not know their work.
When these primary things are done, it will be found that the Muslims will, of their own accord, recognize the necessity, if only for the sake of their Hindus brethren, of not slaughtering cattle for beef or otherwise.
The reader will observe that behind the foregoing requirements lies one thing and that is AHIMSA, otherwise known as universal compassion. If that supreme thing is realized, everything else becomes easy. Where there is AHIMSA, there is INFINITE patience, inner calm, discrimination, self-sacrifice and true knowledge. <sup>328</sup>

2. From the web site <http://www.mkgandhi.org/epigrams/c.htm#Cow>

### Epigrams from Gandhiji

(Quotations from book - Epigrams from Gandhiji) Compiled by : S. R. Tikekar

- The cow to me is a sermon on pity. XXVI-545
- The cow is the purest type of sub-human life. MM-387
- Mother cow is as useful dead as when she is alive. MM-387
- Mother cow expects from us nothing but grass and grain. MM-387
- Mother cow is in many ways better than the mother who gave use birth. MM-387
- Man through the cow is enjoined to realize his identity with all that lives. T-2-51



- Cow protection is the gift of Hinduism to the world. T-2-51
- Cow protection to me is one of the most wonderful phenomena in the human evolution. T-2-51
- We cry for cow protection in the name of religion, but we refuse protection to the human cow in the shape of the girl widow. T-2-277
- Cow protection can only be secured by cultivating universal friendliness, i.e. ahimsa. XXV-520
- Cow protection means protection of the weak, the helpless, the dumb and the deaf. XXVI-545
- Cow protection to me is infinitely more than mere protection of the cow. XXVI-545
- The central fact of Hinduism is cow protection. MM-388
- Cow preservation is an article of faith in Hinduism. T-3-290
- The only way Hindus can convert the whole world to cow protection is by giving and object-lesson in cow protection and all it means. XXV-436
- My religion teaches me that I should by my personal conduct instil into the minds of those who might hold different views the conviction that cow-killing is a sin. XXV-518
- By ahimsa we will be able to save the cow and also to win the friendship of the English. XXV-520
- When I see a cow, it is not an animal to eat; it is a poem of pity for me and I worship it and I shall defend its worship against the whole world. XXV-459
- If I were overfull of pity for the cow, I should sacrifice my life to save her but not to take my brother's. X-30
- Cow-slaughter and man-slaughter are in my opinion the two sides of the same coin. XXV-519
- Cow-slaughter can never be stopped by law. MM-388
- The cow can be saved only if buffalo-breeding is given up. T-2-267
- It is no part of religion to breed buffaloes or, for that matter, cows. T-2-267
- Nowhere in the world you find such skeletons of cows and bullocks as you do in our cow-worshipping India. XXV-518

3. From web-site <http://www.puripada.com/mahacow.htm>

## **COW PROTECTION**

### **Mahatma Gandhi's Sound Advice, Circa 1927**

In my opinion the economic side of the cow question, if properly handled, automatically provides for the delicate religious side. Cow slaughter should, and can be made economically impossible, whereas unfortunately of all the places in the world it is the sacred animal of the Hindus, which has become the cheapest for slaughter. To this end I suggest the following:

1. The State should buy every cow offered for sale on the open market by out-bidding every other buyer.
2. The State should run dairies in all principal towns ensuring a cheap, consistent supply of milk and all non-violent bi-products.
3. The State should run tanneries where the hides, bones, etc., of all dead cattle in its possession may be utilized. They should also offer to buy all privately-owned dead cattle.
4. The State should keep model cattle farms (goshallas) and instruct people in the art of breeding and keeping cattle.
5. The State should make a liberal provision for pasture land and import the best experts in the world for imparting knowledge of the science of cattle to all people.
6. There should be a separate department created for this purpose and no profit should be made so that people may receive the full benefit of every improvement that might be made in the different breeds of cattle and other matters pertaining to them.

The foregoing scheme pre-supposes the State maintains all old, maimed and diseased cattle. This no doubt constitutes a heavy burden, but it is a burden which all States, but above all, a *Hindu State*, should gladly bear.

My own study of the question leads me to think the running of scientific dairies and tanneries would enable the State to cover the expenses of the upkeep of cattle that have become economically useless, apart from the manure they yield and to sell at market rates, leather goods, milk products and the many other things that can be manufactured from dead cattle.



**From *Young India*, 7-7-1927**

## ANNEX II (7)

Paragraph 10.2

Download from the web-site [http://www.hindunet.org/alt\\_hindu/1994\\_2/msg00096.html](http://www.hindunet.org/alt_hindu/1994_2/msg00096.html)  
(Emphasis applied).

### Hindu-Muslim riots: A Survey

From:  
POLITICS OF COMMUNALISM  
By: Ms Zenab Banu  
Appendix IV, Page 175-193

#### Historical Survey of some major communal riots.

S.No.	Year	Place	Immediate Cause
1.	1713 AD	Ahmedabad	Opposition to solemnise the holi festival on the one side and <b>the cow slaughter</b> on the other side between the neighbors of the two opposite communities.
2.	1719-20	Kashmir	Vendetta of a Muslim gentleman of position against the Hindus
3.	1729	Delhi	The murder of a Mussalman by a Hindu for reason not known
4.	Dec.1782	Sylhet, Assam	The Muslims (having 2/3 majority) demanded the Hindus the discontinuance of their religious ceremonies during the Muharram. Hindus refused to comply with this and petitioned Jinday (Officer Incharge of the Distt) for redressal.
5.	Sept.1786	Balpur & other places in Berar	Muslim committed armed attack on the Hindus who were busy in their prayers.
6.	1809	Banaras	The attempted construction of a building by Hindus on the Veutrog construction ground between the Mosque (built by Aurangzeb) and the present temple of Bisheshwas.
7.	1840	Moradabad	(no cause was given)
8.	1851	Bombay	Publication of some thing undesirable against prophet Mohammed by a Parsi in Gujrati paper.

9.	1857	Moradabad, Bijnaur	(After mutiny, no cause given)
10.	1871	Bareilly	Moharram and Ramnavami festivals fall on the same day.
11.	1874	Bombay	A book in Gujrati published by a RH Jalbhoy "Great Prophets of the World"
12.	1873-84	Mopala riots near Calicut	Intense provocation given to the Mopalas by the action of Raman who married a Muslim woman and soon after marriage reverted to Hinduism.
13.	Oct.1886	Etawah & Delhi	The simultaneous occurrence of two religious festivals, Ramlila of Hindus and Moharram of Muslims.
14.	1887	Bareilly	Moharram and Ramnavami festivals.
15.	1889	Delhi	Conversion of a Hindu to Islam
16.	1890	Aligarh	Obstruction of places of worship — A pot of flesh was thrown at night in a mosque then <b>beef was hung into two Hindu wells.</b>
17.	May1891	Calcutta	Friction between the parties over the building of a mosque
18.	1891	Polaked in Salur district	Religious Hindu procession attacked by Muslims
19.	July 1892	Prabhaspatan	Moharram festival
20.	Aug1893	Bombay-2	Muslims gathered an impression that they needed special protection and that the European system of administration tended to increase the influence of the Hindus at their expense.
21.	Sept1893	Kolaba dist.	—do—
22.	1893	Ballia in UP	<b>A reaction to the cow protection movement</b>
23.	1894	Madras	Vijaya Dasmi Day – Muslims pelted the idol and the processionists with cow dung (?)
24.	Feb1894	Yeola in Nasik	Obstruction of Moharram (Tazia) by Hindus
25.	July1895	Porbundar	Muslim procession passing through Hindu quarter.

26.	1895	Dhulia	Ganpati procession attacked by Muslims
27.	1907	Morghat	Partition of Bengal
28.	1907	Memonsingh	The reasons were partly the growing irritation of the Muslims with the Swadeshi agitation and the boycott of European goods, engineered by the Hindus.
29.	1910	Peshawar	Holi and Muslim festival Bara Wafat were on the same day.
30.	1912	Ayodhya, Faizabad	<b>Over the sacrifice of cows by the Muslims on the occasion of Bakri Id.</b>
31.	1913	Nellore	Construction and demolition of a mosque
32.	1913	Kanpur	Muslim's resentment over the demolition of a lavatory attached to a mosque in connection with Municipal improvements.
33.	1916	Patna	<b>On Bakri-Id Hindu mob tried to prevent Muslims for performance of sacrifice.</b>
34.	1918	Gaya & Shahabad	<b>Hindus terrorised the Muslims and prevented them from performing the sacrifice.</b>
35.	1921	Malegaon	Indian Council's Act of 1919
36.	1921	Bangalore	Resentment of non-cooperation movement
37.	1922	Multan	—do—
38.	1923	Amritsar, Lahore, Saharanpur in UP	All over India 15-20 severe riots took place due to Shudhi movement originated by Raja Ram Mohan Roy.
39.	1924	Allahabad, Calcutta, and many other cities	Id festival and growing influence of Shidhi movement
40.	1925	Calcutta	(no reason given)
41.	1926	Calcutta	Music before the mosque
42.	1926	Delhi, Patna, Rawalpindi, Allahabad, Dacca	Deep-rooted hatred and animosity engineered the riots with a minor incident.
43.	Jan.1927	Paluakhali and Poonabalia	A quarrel between two persons of opposite communities.

44.	Feb, 1927	Larkana, Lahore	—do—
45.	June 1927	Dinapur, Multan Bettiah, Comila	Suspicion and deep rooted hatred engineered the riot.
46.	Sept. 1927	Nagpur	Muslim procession molesting a Hindu passerby
47.	Sept. 1927	Ahmedabad	Muslim prayer in Mosque and Hindu song in temple coming into conflict.
48.	Sept. 1927	Dehradoon	Ram Lila procession
49.	Nov. 1927	Delhi	The procession of a Muslim dead body who killed a Hindu Mahant
50.	<b>1928</b>	<b>Bangalore, Surat Nasik, Hydrabad</b>	<b>Bakri-Id</b>
51.	1929	Bombay	Some labour dispute engineered riot
52.	1930	Dacca	In reaction of civil disobedience movement
53.	1931	Banaras	—do—
54.	1932	Bombay, Alwar	—do—
55.	1933	Alwar, Calcutta	—do—
56.	1935	Bharanga	—do—
57.	1935	Hazaribagh	Ram Navami and Moharram on the same day
58.	1935	Firozabad	Burnt a house with 11 persons including 3 children in continuance of above chain
59.	1935	Champaran	—do—
60.	1935	Shikandarabad	—do—
61.	1935	Lahore	Out of some old vendetta
62.	1935	Dudhial	Lahore reaction
63.	1936	Poona- Khanapur	—do—
64.	1936	Jamalpur	Music before a mosque by Hindu wedding procession
65.	1936	Byculla	Temple-Mosque dispute
66.	<b>1937</b>	<b>UP</b>	<b>Cattle fair</b>

67.	1939	Asansole	Demolition of a holy book Ramayana by an opposite community person
68.	1939	Delhi	Quarrel between two persons
69.	1939	Gawanpore	An attack by Muslims on Hindu marriage party
70.	1939	# of dists. in UP	Holi festival and Calcutta
71.	1939	Gaya	Music before a mosque
72.	1939	Kanpur	Processionists attacked by opposite community persons.
73.	1939	Meerut	Reaction to it.
74.	1939	Sindh	—do—
75.	1939	Sukkar	—do—
76.	1941	Calcutta	Occasion of Moharram
77.	1941	Ahmedabad	Muslims set fire to Maneckchowk bazaar, Predominance of Hindus
78.	1946	Ahmedabad, Calcutta, Bombay, Noakhali, Patna, Dacca, et al	Muslim league gave a call for liberation week
79.	1948	Udaipur	Quarrelling between two groups belonging to two opposite communities
80.	1949	Secundrabad, Hyderabad, Saharanpur, Hambal	Started round Tonga, which was suspected to be carrying beef through a Hindu locality.
81.	1949	Akola	Slaughter of a cow in a Muslim household
82.	1950	Calcutta, Delhi Pilibhit, Aligarh Dhubri, Bombay,	Hindu militant group RSS tried to frustrate Indian Muslims to leave India
83.	1951	Mangrol	—do—
84.	1952	Banaras	Hindus tried to carry out repairs to a place of worship of theirs adjacent to a mosque sanctioned by the city Magistrate.

85.	1953	Viramgaom	Holi festival
86.	1953	Bhopal	Stone throwing by some miscreants at a procession taken by the Hindu Mahasabha to protest against cow slaughter.
87.	1953	Gauhati	Angry crowd tried to prevent a Muslim family from <b>sacrificing cow</b>
88.	1953	Nasik, Poona, Sangli	Ganapati festival and Moharram coincide
89.	1953	Ahmedabad	—do—
90.	sept. 1953	Poona	Arson bid in Poona
91.	1953	Sholapur a mosque.	Ganpati immersion day playing music before
92.	1953	Jamnagar	<b>A boy stabbing a cow near a hotel</b>
93.	1954	Ghaziabad	<b>Slaughter of a stolen cow</b>
94.	1954	Aligarh	Over the price of a melon between a hawker and a customer
95.	1954	Nizamabad	Some persons hoisted the Pakistani flag on the statue of Mahatma Gandhi.
96.	1954	Mathura	Some persons broke the idol of Krishna, which was installed for worship in a temple near Idgah mosque.
97.	1954	Gulbarga, Mannila, Fatehpur	Paskistani flag was hoisted over a temple of Ganesh
98.	1956	Bhopal	Holi festival – Muslims threw bones in the Holi fire and an idol in a temple was defiled.
99.	1956	Sholapur	Rival claims to a shrine made by the two communities.
100.	1956	Many parts of UP	A publication of the Bhartiya Vidya Bhavan alleging insulting reference to Prophet Mohammed.
101.	1956	Jabalpur	Forcibly closing down of shops in protest against damage to an idol of Ganapati.
102.	1956	Khamgaon	Attack on a Ganapati procession before a mosque by a crowd.
103.	1957	Hazaribagh	A clash between students in Moharram procession



104.	1958	Belgaun	A procession of Hindus with music before a mosque
105.	<b>1958</b>	<b>Dulhia</b>	<b>Unauthorised cow slaughter</b>
106.	1958	Yeola	Muslims objecting a procession of Ganpati Idol.
107.	1958	Bagalkot	A procession of RSS was stoned near Panka mosque
108.	1959	Lucknow	Sprinkling of colour on Muslim on Holi festival by a Hindu
109.	1959	Bhopal	—do—
110.	<b>1959</b>	<b>Sitamarhi</b>	<b>Spreading of a rumour that a cow was slaughtered</b>
111.	1960	Hubli	Idol of Maruti disfigured by someone
112.	1960	Firozabad	Ramlila procession
113.	1960	Saharanpur	Ramlila procession
114.	1961	Jabalpur, Sangore, Narsinghpur, Damoh	Effort to molest a Hindu girl
115.	1961	Palanpur	Discovery of animal bones in the place of worship
116.	1961	Many cities in UP	Aligarh University hostel boy misbehaved with hostel girl
117.	1961	Bhopal	Meeting of Jana Sangh Dist. Committee
118.	1961	Vidisha, Bhopal	Hindu procession being disturbed by Muslims
119.	<b>1962</b>	<b>Sikundra</b>	<b>Slaughter of a cow</b>
120.	1962	Malda in WB	A week's agitation against the publication of a picture of Mohammed
121.	1962	Agra	A quarrel between two persons belonging to opposite communities
122.	1962	Mandsaur	A dispute over a business transaction
123.	1962	Bareilly	Throwing of stones on a procession of Hindus passing through Muslim residential area
124.	1962	Ratanagiri	Ganpati procession attacked by Muslims

125.	1963	Junagarh	Criminal assault by two Muslim youths on a Hindu girl
126.	1963	Islampur	Muslim participants of Moharram procession attacked by the police with lathi
127.	1963	Akola	Ganpati idol was attacked by stones
128.	1963	Nadia, Calcutta	Hair of Mohammed from Hazratbal mosque were stolen
129.	1963	Srinagar	—do—
130.	1964	Bihar, Orissa	Train carrying refugees of East Pakistan
131.	1965	Udaipur	Scuffle between the two neighbors of opposite community
132.	1966	Udaipur	Scuffle between the two wrestlers of two communities
133.	1967	Ranchi	Brick batting on the Urdu agitators' procession
134.	1967	Srinagar	Religious conversion and marriage of a girl of the Pandi community to a Muslim youth
135.	1968	Meerut	A conference organised by the Jamaat-e-Islami in a college and a procession crossed by Jan Sangh
136.	1968	Karimganj	Scuffle between two boys of opposite community on a cow of a Muslim
137.	1968	Vizhinjam	Clash between Muslims and Christians when Muslims embarked on aggressive violent acts against catholics
138.	1968	Allahabad	Holy reveller threw water color on a Muslim who pulled out a pistol
139.	1968	Auditanda	Ramnavmi procession
140.	1968	Manglore	Muslims had assaulted a Hindu fisherman
141.	1968	Aurangabad	<b>A Muslim bakery servant's attack on a cow with a knife</b>
142.	1968	Nagpur	Scuffle between a Muslim barber and a Neo Buddha
143.	1968	Parbhani	A Hindu college student stabbed by one Muslim Rikshaw puller
144.	1968	Mabajogi	Scuffle among students

145.	1968	Pupri	Durga procession passed through a Muslim inhabited area
146.	1968	Gumdum	A Hindu procession
147.	1968	Cuttack	Music in front of mosque
148.	1968	Veeranal	News of a death of a Muslim in his house
149.	1969	Kendrapa	Music near a mosque
150.	1969	Calcutta	Muslim demonstration before the office of the 'Statesman'
151.	1969	Anjar	A clash between two persons of opposite community
152.	1969	Hubli	Muslims objected to throwing of colored water on them on Holi
153.	1969	Mau in UP	Beating of a Hindu boy by Muslim boys
154.	1969	Anjar	An armed mob of Muslims attacked Hindus
155.	1969	Gujarat	Mutual suspicion and animosity between the two communities
156.	1969	Ahmedabad	Attack on Jaganath temple by Muslims
157.	1969	Other cities in Gujarat	Repurcussions of above
158.	1970	Chaibasa	Ram Navmi procession
159.	1970	Bhiwandi and other parts of Maharashtra	Beginning with a quarrel between two persons of opposite communities
160.	<b>1972</b>	<b>Tonk</b>	<b>Bakri Id</b>
161.	<b>1972</b>	<b>Banaras</b>	<b>Bakri Id</b>
162.	1973	Delhi	Two groups of miscreants clashed at Bara Hindu Rao area
163.	1974	Jugeshwari	Anti-Muslim feeling injected by Shiv Sena workers in the minds of general people
164.	1974	Delhi	Quarreling of two persons belonging to two opposite communities
165.	1975	Jogeshwari	Militant action of Shiv Sena volunteers
166.	<b>1977</b>	<b>Chittorgarh</b>	<b>Id Festival</b>
167.	1977	Benaras	Durga procession

## ANNEX II (8)

Paragraph 17.4

### Main features of legislations enacted by the States / UTs on cow slaughter

S.No.	State / Title of Legislation	Gist of Provisions
1.	<b>ANDHRA PRADESH</b> THE ANDHRA PRADESH PROHIBITION OF COW SLAUGHTER AND ANIMAL PRESERVATION ACT, 1977	<p><u>Definitions:</u></p> <ul style="list-style-type: none"> <li>• "Cow"- includes heifer, or a calf, whether male or female of a cow.</li> <li>• "Calf"- age not defined.</li> </ul> <p><u>Ban on slaughter:</u></p> <ul style="list-style-type: none"> <li>• Slaughter of "Cow" prohibited</li> <li>• Slaughter of bull, bullock allowed on 'fit-for-slaughter' certificate, to be given only if the animal is not economical or is not likely to become economical for the purpose of breeding or draught / agricultural operations.</li> </ul> <p><u>Penal provisions:</u></p> <ul style="list-style-type: none"> <li>• Imprisonment up to maximum of 6 months or fine of up to Rs. 1,000 or both.</li> </ul> <p><u>Offences:</u> -</p> <ul style="list-style-type: none"> <li>• cognisable</li> </ul>
2.	<b>ASSAM</b> THE ASSAM CATTLE PRESERVATION ACT, 1950	<p><u>Definitions:</u></p> <ul style="list-style-type: none"> <li>• "Cattle" means 'Bulls, bullocks, cows, calves, male and female buffaloes and buffalo calves.</li> <li>• "Calf" not defined.</li> </ul> <p><u>Ban on slaughter:</u></p> <ul style="list-style-type: none"> <li>• Slaughter of <b>all cattle allowed</b> on 'fit-for-slaughter' certificate, to be given if cattle is over 14 years of age or has become permanently incapacitated for work or breeding due to injury, deformity or any incurable disease.</li> </ul> <p><u>Penal provisions:</u></p> <ul style="list-style-type: none"> <li>• Imprisonment up to maximum of 6 months or fine of up to Rs. 1,000 or both.</li> </ul> <p><u>Offence:</u></p> <ul style="list-style-type: none"> <li>• Cognisable only</li> </ul>

3.	<b>BIHAR</b>  <b>THE BIHAR PRESERVATION AND IMPROVEMENT OF ANIMALS ACT, 1955</b>	<u>Definitions:</u> <ul style="list-style-type: none"> <li>• Bull – uncastrated male of above 3 years.</li> <li>• Bullock - castrated male of above 3 years.</li> <li>• Calf - male or female below 3 years.</li> <li>• Cow - female above 3 years.</li> </ul> <u>Ban on Slaughter:</u> <ul style="list-style-type: none"> <li>• Slaughter of cow and calf totally prohibited</li> <li>• Slaughter of bull or bullock of over <b>15 years</b> of age or has become permanently incapacitated for work or breeding due to injury, deformity or any incurable disease.</li> </ul> <u>Penal provisions:</u> <ul style="list-style-type: none"> <li>• Imprisonment up to maximum of 6 months or fine of up to Rs. 1,000 or both.</li> </ul> <u>Offence:</u> <ul style="list-style-type: none"> <li>• Cognisable only</li> </ul> <u>Ban on Export :</u> <ul style="list-style-type: none"> <li>• Export of cows, calves, bulls and bullocks from Bihar is not allowed for any purpose.</li> </ul>
4.	<b>DAMAN &amp; DIU</b>  <b>THE GOA , DAMAN &amp; DIU PREVENTION OF COW SLAUGHTER ACT, 1978</b>	Details as for Goa.
5.	<b>DELHI</b>  <b>THE DELHI AGRICULTURAL CATTLE PRESERVATION ACT, 1994</b>	<u>Definitions:</u> <ul style="list-style-type: none"> <li>• Agricultural Cattle- cows of all ages, calves of cows of all ages, bulls and bullocks.</li> </ul> <u>Ban on Slaughter:</u> <ul style="list-style-type: none"> <li>• Slaughter of all agricultural cattle is totally prohibited.</li> <li>• Ban on Transport or Export for slaughter is also prohibited.</li> <li>• Export for other purposes permitted on declaration that cattle will not be slaughtered.</li> <li>• Export to a State where slaughter is not banned by law will not be permitted.</li> </ul> <u>Penal provisions :</u> <ul style="list-style-type: none"> <li>• Imprisonment upto five years and fine upto Rs. 10,000, provided that normally imprisonment should not be less than 6 months and fine not less than Rs. 1,000.</li> </ul>



		<p><u>Ban on Slaughter:</u></p> <ul style="list-style-type: none"> <li>• Slaughter of cow, calf, bull or bullock totally prohibited.</li> <li>• Slaughter of buffaloes permitted on certain conditions.</li> </ul> <p><u>Penal provisions:</u></p> <ul style="list-style-type: none"> <li>• Imprisonment up to maximum of 6 months or fine of up to Rs. 1,000 or both.</li> </ul> <p><u>Offences:</u></p> <ul style="list-style-type: none"> <li>• Cognisable only.</li> </ul>
8.	<p><b>HARYANA</b></p> <p>THE PUNJAB PROHIBITION OF COW SLAUGHTER ACT, 1955 (APPLICABLE TO HARYANA)</p>	<ul style="list-style-type: none"> <li>• Provisions same as for Punjab except penal provisions</li> </ul> <p><u>Penal provisions :</u></p> <ul style="list-style-type: none"> <li>• Rigorous imprisonment up to 5 years or fine up to Rs.5,000 or both.</li> </ul>
9.	<p><b>HIMACHAL PRADESH</b></p> <p>THE PUNJAB PROHIBITION OF COW SLAUGHTER ACT, 1955 (APPLICABLE TO THE STATE OF HIMACHAL PRADESH)</p>	<p>All provisions same as for Punjab.</p>
10.	<p><b>JAMMU &amp; KASHMIR</b></p> <p>THE RANBIR PENAL CODE, 1932</p>	<ul style="list-style-type: none"> <li>• Voluntary slaughter of any bovine animal such as ox, bull, cow or calf shall be punished with imprisonment of either description which may extend to 10 years and shall also be liable to fine.</li> <li>• Fine may extend to five times the price of the animals slaughtered as determined by the Court.</li> <li>• Possession of flesh of killed or slaughtered animals is also an offence punishable with imprisonment up to 1 year and fine up to Rs. 500.</li> </ul>

11.	<p><b>KARNATAKA</b></p> <p>THE KARNATAKA PREVENTION OF COW SLAUGHTER AND CATTLE PRESERVATION ACT, 1964</p>	<p><u>Definitions:</u></p> <ul style="list-style-type: none"> <li>• Animal - means bull, bullock, and all buffaloes.</li> <li>• Cow – includes calf of a cow, male or female.</li> </ul> <p><u>Ban on Slaughter:</u></p> <ul style="list-style-type: none"> <li>• Slaughter of cow, calf of a cow or calf of a she-buffalo totally prohibited.</li> <li>• Slaughter of bulls, bullocks and adult buffaloes permitted on 'fit-for-slaughter' certificate provided cattle is over <b>12 years</b> of age or is permanently incapacitated for breeding, draught or milk due to injury, deformity or any other cause.</li> <li>• Transport for slaughter to a place outside a state not permitted.</li> <li>• Sale purchase or disposal of cow or calf for slaughter not permitted.</li> </ul> <p><u>Penal provisions:</u></p> <ul style="list-style-type: none"> <li>• Imprisonment up to maximum of 6 months or fine of up to Rs.1,000 or both.</li> </ul> <p><u>Offences:</u></p> <ul style="list-style-type: none"> <li>• Cognisable only.</li> </ul>
12.	<p><b>KERALA</b></p> <p>No state legislation - only Panchayat Act / Rules</p> <p>Kerala Panchayat (Slaughter Houses and Meat Stalls) Rules, 1964</p>	<p>Panchayat laws provide for prohibition of slaughter of useful animals in Panchayat (non-municipal) areas in the State. Under the Kerala Panchayat (Slaughter Houses and Meat Stalls) Rules, 1964, no certificate shall be granted under Rule 8 in respect of a bull, bullock, cow calf, he-buffalo or she-buffalo or buffalo calf unless the animal is over 10 years of age and is unfit for work or breeding or the animal has become permanently incapacitated for work or breeding due to injury or deformity. In 1976, the Kerala Government issued an executive order banning the slaughter of useful animals in the Municipal areas as well.</p>



13.	<p><b>MADHYA PRADESH</b></p> <p>THE MADHYA PRADESH AGRICULTURAL CATTLE PRESERVATION ACT, 1959.</p>	<p><u>Definitions:</u></p> <ul style="list-style-type: none"> <li>• Agricultural cattle means cows of all ages, calves of cows, bull, bullocks and all buffaloes.</li> </ul> <p><u>Ban on Slaughter:</u></p> <ul style="list-style-type: none"> <li>• Slaughter of cow, calf of cow, bull, bullock and buffalo calf prohibited.</li> <li>• However, bulls and bullocks are being slaughtered in the light of Supreme Court judgement, provided the cattle is over <b>15 years</b> or has become unfit for work or breeding.</li> <li>• Transport or export for slaughter not permitted.</li> <li>• Export for any purpose to another State where cow slaughter is not banned by law is not permitted.</li> <li>• Sale, purchase, disposal of cow and its progeny and possession of flesh of cattle is prohibited.</li> </ul> <p><u>Penal provisions:</u></p> <ul style="list-style-type: none"> <li>• Imprisonment up to 3 years and fine of Rs.5,000.</li> <li>• Normally imprisonment shall not be less than 6 months and fine not less than Rs.1,000.</li> <li>• Burden of proof is on the accused.</li> </ul> <p><u>Offences :</u></p> <ul style="list-style-type: none"> <li>• Cognisable only.</li> </ul>
14.	<p><b>MAHARASHTRA</b></p> <p>THE MAHARASHTRA ANIMAL PRESERVATION ACT, 1976</p>	<p><u>Definitions:</u></p> <ul style="list-style-type: none"> <li>• 'Cow' includes a heifer or male or female calf of a cow.</li> </ul> <p><u>Ban on Slaughter:</u></p> <ul style="list-style-type: none"> <li>• Slaughter of cow totally prohibited.</li> <li>• Slaughter of bulls, bullocks and buffaloes allowed on fit-for-slaughter certificate, if it is not likely to become economical for draught, breeding or milk (in the case of she-buffaloes) purposes.</li> </ul>

		<u>Penal provisions:</u> <ul style="list-style-type: none"> <li>• Imprisonment up to maximum of 6 months and fine of up to Rs.1,000.</li> <li>• Burden of proof is on the accused.</li> </ul> <u>Offences:</u> <ul style="list-style-type: none"> <li>• Cognisable only.</li> </ul>
15.	<b>MANIPUR</b>  PROCLAMATION BY MAHARAJA - DARBAR RESOLUTION OF 1936	"According to Hindu religion the killing of cow is a sinful act. It is also against Manipur Custom. I cannot allowed such things to be committed in my State. So if any one is seen killing a cow in the State he should be prosecuted."
16.	<b>MEGHALAYA</b>	NO LEGISLATION
17.	<b>NAGALAND</b>	NO LEGISLATION
18.	<b>ORISSA</b>  THE ORISSA PREVENTION OF COW SLAUGHTER ACT, 1960	<u>Definitions:</u> <ul style="list-style-type: none"> <li>• 'Cow' includes heifer or calf.</li> </ul> <u>Ban on Slaughter:</u> <ul style="list-style-type: none"> <li>• Slaughter of cow totally prohibited.</li> <li>• Slaughter of bull, bullock on fit-for-slaughter certificate if cattle is over <b>14 years</b> of age or has become permanently unfit for breeding, draught.</li> </ul> <u>Penal provisions:</u> <ul style="list-style-type: none"> <li>• Imprisonment up to maximum of 2 years or fine up to Rs. 1,000 or both.</li> </ul> <u>Offences:</u> <ul style="list-style-type: none"> <li>• Cognisable only.</li> </ul>
19.	<b>PONDICHERRY</b>  THE PONDICHERRY PREVENTION OF COW SLAUGHTER ACT, 1968	<u>Definitions:</u> <ul style="list-style-type: none"> <li>• 'Cow' includes heifer or calf.</li> </ul> <u>Ban on Slaughter:</u> <ul style="list-style-type: none"> <li>• Slaughter of cow totally prohibited.</li> </ul>

		<ul style="list-style-type: none"> <li>• Slaughter of bull or bullock permitted on 'fit-for-slaughter' certificate provided it is over age of <b>15 years</b> or has become permanently unfit for breeding or draught.</li> <li>• Prohibition on sale, transport of beef.</li> </ul> <p><u>Penal provisions:</u></p> <ul style="list-style-type: none"> <li>• Imprisonment up to maximum of 2 years or fine up to Rs. 1,000 or both.</li> </ul> <p><u>Offences:</u></p> <ul style="list-style-type: none"> <li>• Cognisable and non-bailable.</li> </ul>
20.	<b>PUNJAB</b>  <b>THE PUNJAB PROHIBITION OF COW SLAUGHTER ACT, 1955</b>	<p><u>Definitions:</u></p> <ul style="list-style-type: none"> <li>• "Cow" includes bull, bullock, ox, heifer or calf.</li> </ul> <p><u>Ban on Slaughter:</u></p> <ul style="list-style-type: none"> <li>• Slaughter of cow (and its progeny) totally prohibited.</li> <li>• Export for slaughter not permitted.</li> <li>• Sale of beef prohibited.</li> </ul> <p><u>Penal provisions :</u></p> <ul style="list-style-type: none"> <li>• Imprisonment up to maximum of 2 years or fine up to Rs.1,000 or both.</li> <li>• Burden of proof is on the accused.</li> </ul> <p><u>Offences :</u></p> <ul style="list-style-type: none"> <li>• Cognisable and non-bailable.</li> </ul>
21.	<b>RAJASTHAN</b>  <b>THE RAJASTHAN BOVINE ANIMAL (PROHIBITION OF SLAUGHTER AND REGULATION OF TEMPORARY MIGRATION OR EXPORT) ACT, 1995</b>	<p><u>Definitions:</u></p> <ul style="list-style-type: none"> <li>• 'Bovine' - means and includes cow, calf, heifer, bull or bullocks.</li> <li>• 'Bull' - means uncastrated male above 3 years</li> <li>• 'Bullock' - means castrated male above 3 years</li> <li>• 'Calf' - means castrated or uncastrated male of 3 years and below.</li> <li>• 'Cow' - means female above 3 years; 'Heifer' is female of 3 years or below.</li> </ul>

		<p><u>Ban on Slaughter:</u></p> <ul style="list-style-type: none"> <li>• Slaughter of all bovine animals prohibited.</li> <li>• Possession sale, transport of beef and beef products is prohibited. Export of bovine animal for slaughter is prohibited.</li> <li>• Custody of seized animals to be given to any recognised voluntary animal welfare agency failing which to any Goshala, Gosadan or a suitable person who volunteers to maintain the animal.</li> </ul> <p><u>Penal provisions:</u></p> <ul style="list-style-type: none"> <li>• Rigorous imprisonment of not less than 1 year and up to maximum of 2 years and fine up to Rs.10,000.</li> <li>• Burden of proof is on the accused.</li> </ul>
22.	<p><b>TAMIL NADU</b></p> <p>THE TAMIL NADU ANIMAL PRESERVATION ACT, 1958</p> <p>Government orders banning cow slaughter dt. 30<sup>th</sup> August, 1976.</p>	<p><u>Definitions:</u></p> <ul style="list-style-type: none"> <li>• 'Animal' means bulls, bullocks, cows, calves; also, buffaloes of all ages.</li> </ul> <p><u>Ban on Slaughter:</u></p> <ul style="list-style-type: none"> <li>• All Animals can be slaughtered on 'fit-for-slaughter' certificate</li> <li>• Certificate given if animal is over <b>10 years</b> of age and is unfit for work and breeding or has become permanently incapacitated for work and breeding due to injury deformity or any incurable disease.</li> </ul> <p><u>Penal Provisions:</u></p> <ul style="list-style-type: none"> <li>• Imprisonment of up to 3 years or fine up to Rs. 1,000 or both.</li> </ul> <p>Slaughter of cows and heifers (cow) is banned in all slaughterhouses in Tamil Nadu.</p>
23.	<p><b>UTTAR PRADESH</b></p> <p>THE UTTAR PRADESH PREVENTION OF COW SLAUGHTER ACT, 1955</p>	<p><u>Definitions:</u></p> <ul style="list-style-type: none"> <li>• 'Beef' means flesh of cow and of such bull or bullock whose slaughter is prohibited under the Act, but does not include such flesh contained in sealed containers and imported into U.P.</li> <li>• 'Cow' includes a heifer and calf.</li> </ul>

		<p><u>Ban on Slaughter:</u></p> <ul style="list-style-type: none"> <li>• Slaughter of cow totally prohibited.</li> <li>• Slaughter of bull or bullock permitted on 'fit-for-slaughter' certificate provided it is over the age of <b>15 years</b> or has become permanently unfit for breeding, draught and any agricultural operations.</li> <li>• Transport of cow outside the State not permitted for slaughter.</li> <li>• Prohibition on sale of beef.</li> </ul> <p><u>Penalty provisions:</u></p> <ul style="list-style-type: none"> <li>• Rigorous imprisonment up to 2 years or fine up to Rs. 1,000 or both.</li> </ul> <p><u>Offences :</u></p> <ul style="list-style-type: none"> <li>• Cognisable and non-bailable.</li> </ul>
24.	<p><b>WEST BENGAL</b></p> <p>THE WEST BENGAL ANIMAL SLAUGHTER ACT, 1950</p>	<p><u>Definitions :</u></p> <ul style="list-style-type: none"> <li>• Scheduled animals – bulls, bullocks, cows calves and buffaloes of all types / ages.</li> </ul> <p><u>Ban on Slaughter :</u></p> <ul style="list-style-type: none"> <li>• Slaughter of <b>all animals</b> permitted on 'fit-for-slaughter' certificate</li> <li>• Certificate given if animal is over <b>14 years</b> of age and unfit for work or breeding or has become permanently incapacitated for work and breeding due to age, injury, deformity, or any incurable disease.</li> </ul> <p><u>Penal provisions:</u></p> <ul style="list-style-type: none"> <li>• Imprisonment up to maximum of 6 months or fine up to Rs. 1,000 or both.</li> </ul> <p><u>Offences:</u></p> <ul style="list-style-type: none"> <li>• Cognisable only.</li> </ul>

## ANNEX II (9)

Paragraph 18.2

### GROWTH OF CATTLE POPULATION OF INDIA STATE-WISE FIGURES based on 1992 and 1997 Livestock Census

(In thousands)

		1992	1997	Growth 97 over 92	% Variation 97 over 92
1.	Andhra Pradesh	10946	10602	-344	-3.14
2.	Arunachal Pradesh	324	453	129	39.81
3.	Assam	10118	8000	-2118	-20.93
4.	Bihar (including Jharkhand) @	22154			
5.	Gujarat	6804	6749	-55	-0.80
6.	Goa	98	88	-10	-10.20
7.	Haryana	2136	24000	264	12.35
8.	Himachal Pradesh	2165	2095	-70	-3.23
9.	Jammu & Kashmir	3055	3175	120	3.92
10.	Karnataka	13173	10831	-2342	-17.77
11.	Kerala	3524	3396	-128	-3.63
12.	Madhya Pradesh (including Chattisgarh)	28688	28349	-339	-1.18
13.	Maharashtra	17446	18072	626	3.58
14.	Manipur	719	508	-211	-29.34
15.	Meghalaya	635	738	103	16.22
16.	Mizoram	59	33	-26	-44.06
17.	Nagaland	332	383	51	15.36
18.	Orissa	13841	13810	-31	-0.22
19.	Punjab	2909	2639	-270	-9.28
20.	Rajasthan	11699	12141	442	3.77
21.	Sikkim	198	143	-55	-27.77
22.	Tamil Nadu	9278	9047	-231	-2.48
23.	Tripura	949	1228	279	29.39
24.	Uttar Pradesh (including Uttaranchal)	25635	22047	-3588	-13.99
25.	West Bengal &	17453	17832	379	2.17
26.	Andaman & Nicobar	50	60	10	20
27.	Chandigarh	5	7	2	40
28.	D & N Haveli	49			
29.	Delhi	41	96	55	134.14
30.	Lakshadweep	2	3	1	50
31.	Pondicherry	90	123	33	36.66
32.	Daman & Diu @	8	5	-3	-37.5
	All India	204583	197.71Ψ		
	All India sub-total *	182380	175053	-7327	-4.017

@ Census work not initiated in these States / UTs

& Based on 1996 census data

• Total excludes States where census has not been conducted.

Ψ Provisional figures as received from States and UTs and reported in Basic Animal Husbandry Statistics 2002.  
Figures for Bihar and Daman/Diu extrapolated as Census was not conducted.

**TABLE 30: LIVESTOCK POPULATION—1951-92—ALL INDIA - SPECIEWISE**

( In Million Numbers )

Species	1951	1956	1961	1966	1972	1977	1982	1987	1992
1. Cattle	155.30	158.70	175.60	176.20	178.30	180.00	192.45	199.69	204.58
2. Adult Female Cattle	54.40	47.30	51.00	51.80	53.40	54.60	59.21	62.07	64.36
3. Buffalo	43.40	44.90	51.20	53.00	57.40	62.00	69.78	75.97	84.21
4. Adult Female Buffalo	21.00	21.70	24.30	25.40	28.60	31.30	32.50	39.13	43.81
5. Total Bovines	198.70	203.60	226.80	229.20	235.70	242.00	262.36	275.82	289.00
6. Sheep	39.10	39.30	40.20	42.40	40.00	41.00	48.76	45.70	50.78
7. Goat	47.2	55.4	60.9	64.6	67.5	75.6	95.25	110.21	115.28
8. Horses & ponies	1.50	1.50	1.30	1.10	0.90	0.90	0.90	0.80	0.82
9. Camels	0.60	0.80	0.90	1.00	1.10	1.10	1.08	1.00	1.03
10. Pigs	4.40	4.90	5.20	5.00	6.90	7.60	10.07	10.63	12.79
11. Mules	0.06	0.04	0.05	0.08	0.08	0.09	0.13	0.17	0.19
12. Donkeys	1.30	1.10	1.10	1.10	1.00	1.00	1.02	0.96	0.97
13. Yak	NC	NC	0.02	0.03	0.04	0.13	0.13	0.04	0.06
14. Total Livestock	292.80	306.60	335.40	344.10	353.60	369.00	419.59	445.29	470.86
15. Poultry	73.50	94.80	114.20	115.40	138.50	159.20	207.74	275.32	307.07
16. Dogs	NC	NC	NC	NC	NC	NC	18.54	17.95	21.77

NC : Not Collected

— Total Livestock excludes Mules & Yaks

Source: Livestock Census , Directorate of Economics & Statistics , M/O Agriculture

**TABLE 31: GROWTH PATTERN OF LIVESTOCK POPULATION—1951-92—ALL INDIA**

Annual Growth rates (%)

Species	1951-56	1956-61	1961-66	1966-72	1972-77	1977-82	1982-87	1987-92
1. Cattle	0.43	2.04	0.07	0.24	0.19	1.35	0.74	0.49
2. Adult Female Cattle	-2.76	1.52	0.31	0.61	0.45	1.63	0.95	0.73
3. Buffalo	0.68	2.66	0.69	1.61	1.55	2.39	1.71	2.08
4. Adult Female Buffalo	0.66	2.29	0.89	2.40	1.82	0.76	3.78	2.29
5. Total Bovines	0.49	2.18	0.21	0.56	0.53	1.63	1.01	0.94
6. Sheep	0.10	0.45	1.07	-1.16	0.50	3.53	-1.29	2.13
7. Goat	3.26	1.91	1.19	0.88	2.29	4.73	2.96	0.90
8. Horses & ponies	0.00	-2.82	-3.29	-3.93	0.00	0.00	-2.33	0.50
9. Camels	5.92	2.38	2.13	1.92	0.00	-0.37	-1.53	0.59
10. Pigs	2.18	1.20	-0.78	6.65	1.95	5.79	1.09	3.77
11. Mules	-7.79	4.56	9.86	0.00	2.38	7.63	5.51	2.25
12. Donkeys	-3.29	0.00	0.00	-1.89	0.00	0.40	-1.21	0.21
13. Yak			8.45	5.92	26.58	0.00	-21.00	8.45
14. Total Livestock	0.93	1.81	0.51	0.55	0.86	2.60	1.20	1.12
15. Poultry	5.22	3.79	0.21	3.72	2.82	5.47	5.79	2.21
16. Dogs							-0.64	3.93

Source: Basic Animal Husbandry Statistics, 1999, published by DAHD – page 52

**I. DETAILS OF MEETINGS OF THE COMMISSION / COMMITTEES**

**1) 13<sup>th</sup> Aug. 2001 at Delhi**

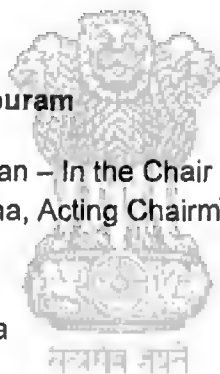
1. Shri Dharampal, Chairman - In the Chair
2. Justice Guman Mal Lodha, Acting Chairman
3. Smt. Gohar Aziz
4. Justice R. N. Mishra
5. Shri K. L. Godha
6. Shri Udai Bhaskar Nair
7. Shri Munshi Singh
8. Shri Hukum Chand Sawla
9. Shri Sunil B. Mansinghka
10. Shri K. C. Mehta
11. Shri Manchan Gunde Rao
12. Shri P. Haridas
13. Shri L.N. Modi

**2) 25<sup>th</sup> Aug. 2001 at Kancheepuram**

1. Shri Dharampal, Chairman – In the Chair
2. Justice Guman Mal Lodha, Acting Chairman
3. Smt. Gohar Aziz
4. Justice R. N. Mishra
5. Shri Sunil B. Mansinghka
6. Shri K. C. Mehta
7. Shri P. Haridas
8. Shri L. N. Modi
9. Shri Bawarlal Kothari

**3) 5<sup>th</sup> November, 2001 at Delhi**

1. Shri Dharampal, Chairman – In the Chair
2. Justice Guman Mal Lodha, Acting Chairman
3. Smt. Chitra Gouri Lal, Member Secretary
4. Shri Hukum Chand Sawla
5. Shri K. C. Mehta
6. Shri L. N. Modi
7. Shri Bhanwarlal Kothai





**4) 28<sup>th</sup> December, 2001 Delhi**

1. Justice Guman Mal Lodha, Acting Chairman – In the Chair
2. Smt. Chitra Gouri Lal, Member Secretary
3. Shri Sunil B. Mansinghka
4. Shri K. C. Mehta
5. Shri B. L. Kothari
6. Shri Munshi Singh

**5) 13<sup>th</sup> February, 2002, Delhi**

1. Justice Guman Mal Lodha, Acting Chairman- (In the Chair)
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Munshi Singh
6. Shri Hukum Chand Sawla
7. Shri Sunil B. Mansinghka
8. Shri Manchan Gunde Rao
9. Shri P. Haridas
10. Shri L.N. Modi
11. Shri B.L. Kothari

**6) 12<sup>th</sup> March, 2002 Delhi**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Chitra Gouri Lal, Member Secretary
3. Shri K.L. Godha
4. Shri L.N. Modi
5. Shri B.L. Kothari
6. Shri Munshi Singh



**7) 13<sup>th</sup> March, 2002 Delhi**

1. Justice Guman Mal Lodha, Acting Chairman. -President
2. Justice R.N. Mishra
3. Shri Sunil B. Mansinghka
4. Shri Hukum Chand Sawla
5. Shri P. Haridas

**8) 17<sup>th</sup> March, 2002 Delhi**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Gohar Aziz
3. Shri K.C. Mehta

## II. SCHEDULE OF PUBLIC HEARINGS AND MEETINGS WITH OFFICIALS.

(Note: At most of the places, the Commissions also had their own Meetings. List of Members who attended these meetings is also given).

S.No.	State / Place	Date	Venue
<b>Maharashtra</b>			
1.	Mumbai	16.1.2002	Bombay Veterinary College
2.	Nagpur	18.1.2002	Officie of Regional Dir. (AH)
3.	Wardha	19.1.2002	Sevagram Ashram
<b>Gujarat</b>			
4.	Ahmedabad	21.1.2002	Annex Circuit House
5.	Vadodara	23.1.2002	Narmada Rest House
6.	Anand	24.1.2002	NDDB Office
<b>Rajasthan</b>			
7.	Jaipur	04.2.2002	DRDA Hall
8.	Jodhpur	06.2.2002	DRDA Hall
9.	Pali	09.2.2002	DRDA Hall
10.	Jaisalmer	11.2.2002	DRDA Hall
<b>Bihar</b>			
11.	Patna	28.2.2002	Vety. College
<b>Jharkhand</b>			
12.	Ranchi	02.3.2002	Vikas Bhavan
<b>West Bengal</b>			
13.	Kolkata	19.3.2002	W.B. University of Animal and Fishery Sciences
<b>Assam &amp; NE States</b>			
14.	Guwahati	21.3.2002	Directorate of Tourism
<b>Madhya Pradesh</b>			
15.	Indore	08.4.2002	Residency Kothi
16.	Bhopal	09.4.2002	Appex Bank Meeting Hall
<b>Uttar Pradesh</b>			
17.	Lucknow	09.5.2002	Regl. Science Centre
18.	Kanpur	10.5.2002	Krishak Sabagar
19.	Varanasi	11.5.2002	Krishi Bhavan
<b>Uttaranchal</b>			
20.	Dehradun	13.5.2002	Meeting Hall Commissionerate

<b>Haryana</b>		
21.	Hissar	20.5.2002 Haryana Vety. Training Instt.
<b>Punjab</b>		
22.	Amritsar	21.5.2002 Guest House
<b>U.T. of Chandigarh</b>		
23.	Chandigarh	23.5.2002 UT Guest House
<b>Himachal Pradesh</b>		
24.	Shimla	25.5.2002 State Guest House
<b>NCT of Delhi</b>		
25.	Delhi	01.6.2002 C.M. Conference Room
<b>Orissa</b>		
26.	Bhubaneshwar	04.6.2002 Sujana Bhavan
27.	Cuttack	05.6.2002 Circuit House
<b>Andhra Pradesh</b>		
28.	Hyderabad	07.6.2002 A.P. Vety. Association
29.	Visakhapatnam	08.6.2002 Office of the Dy Director, AH
30.	Vijayawada	09.6.2002 Vety. assn. Hall
<b>Karnataka</b>		
31.	Mysore	11.6.2002 Mysore Pinjarapole Society
32.	Bangalore	13.6.2002 Sheep Board Hall
<b>Goa</b>		
33.	Panaji	14.6.2002 Departmental Farmers Training Centre
<b>Kerala</b>		
34.	Trivandrum	24.6.2002 Govt. Guest House
35.	Kochi	25.6.2002 Collectorate Conference Hall
<b>Tamil Nadu</b>		
36.	Chennai	26.6.2002 Veterinary Polyclinic
37.	Kanchipuram	27.6.2002 Veterinary Hospital
38.	Coimbatore	28.6.2002 Veterinary Policlinic

### **III. LIST OF MEMBERS WHO ATTENDED THE PUBLIC HEARINGS / MEETINGS**

#### **16<sup>th</sup> January, 2002 Mumbai**

1. Shri Dharampal, Chairman – (In the Chair)
2. Justice Guman Mal Lodha, Acting Chairman
3. Smt. Chitra Gouri Lal, Member Secretary
4. Smt. Gohar Aziz
5. Shri K.L. Godha
6. Shri Sunil B. Mansinghka
7. Shri Manchan Gunde Rao
8. Shri P. Haridas
9. Shri B.L. Kothari
10. Shri K.C. Mehta

#### **18<sup>th</sup> January, 2002 Nagpur**

1. Justice Guman Mal Lodha, Acting Chairman –(In the Chair)
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Sunil B. Mansinghka
6. Shri Manchan Gunde Rao
7. Shri P. Haridas
8. Shri B.L. Kothari
9. Shri Udai Bhasker Nair



#### **19<sup>th</sup> January, 2002, Sevagram**

1. Shri Dharampal, Chairman - (In the Chair)
2. Smt. Chitra Gouri Lal, Member Secretary
3. Shri Udai Bhasker Nair
4. Shri Bhanwarlal Kothari
5. Smt. Gohar Aziz

#### **21 January, 2002 Ahmedabad**

1. Justice Guman Mal Lodha, Acting Chairman - (In the Chair)
2. Smt. Gohar Aziz
3. Shri K.L. Godha
4. Shri Sunil B. Mansinghka
5. Shri Manchan Gunde Rao
6. Shri P. Haridas
7. Shri B.L. Kothari
8. Shri Hukum Chand Sawla

#### **23rd January, 2002 Vadodara**

1. Justice Guman Mal Lodha, Acting Chairman - (In the Chair)
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz

4. Shri K.L. Godha
5. Shri Sunil B. Mansinghka
6. Shri Manchan Gunde Rao
7. Shri P. Haridas
8. Shri B.L. Kothari
9. Shri Hukum Chand Sawla

**4<sup>th</sup> February 2002 Jaipur**

1. Justice Guman Mal Lodha, Acting Chairman - (In the Chair)
2. Smt. Chitra Gouri Lal, Member Secretary
3. Justice Ranganath Mishra
4. Smt. Gohar Aziz
5. Shri K.L. Godha
6. Shri Sunil B. Mansinghka
7. Shri Manchan Gunde Rao
8. Shri P. Haridas
9. Shri B.L. Kothari

**8th February 2002 Jodhpur**

1. Justice Guman Mal Lodha, Acting Chairman - (In the Chair)
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Sunil B. Mansinghka
6. Shri Manchan Gunde Rao
7. Shri P. Haridas
8. Shri B.L. Kothari



**12<sup>th</sup> February 2002 Jaisalmer**

1. Justice Guman Mal Lodha, Acting Chairman - (In the Chair)
2. Smt. Gohar Aziz
3. Shri K.L. Godha
4. Shri Sunil B. Mansinghka
5. Shri Manchan Gunde Rao
6. Shri P. Haridas
7. Shri B.L. Kothari

**28<sup>th</sup> February, 2002. Patna**

1. Justice Guman Mal Lodha, Acting Chairman - (In the Chair)
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Sunil B. Mansinghka
6. Shri L.N. Modi
7. Shri B.L. Kothari

**2<sup>nd</sup> March, 2002 Ranchi**

1. Justice Guman Mal Lodha, Acting Chairman. –President
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Sunil B. Mansinghka
6. Shri L.N. Modi
7. Shri B.L. Kothari

**19<sup>th</sup> March 2002, Calcutta**

1. Shri Dharampal, Chairman – In the Chair
2. Justice Guman Mal Lodha, Acting Chairman
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Hukum Chand Sawla
6. Shri Sunil B. Mansinghka
7. Shri Manchan Gunde Rao
8. Shri P. Haridas
9. Shri L.N. Modi
10. Shri B.L. Kothari
11. Shri K.C. Mehta

**21<sup>st</sup> March 2002, Guwahati**

1. Shri Dharampal, Chairman, -In the Chair
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Hukum Chand Sawla
6. Shri Sunil B. Mansinghka
7. Shri Manchan Gunde Rao
8. Shri P. Haridas
9. Shri B.L. Kothari



**8<sup>th</sup> April, 2002, Indore**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Hukum Chand Sawla
6. Shri Sunil B. Mansinghka
7. Shri P. Haridas
8. Shri B.L. Kothari
9. Shri K.C. Mehta

**9<sup>th</sup> April, 2002, Bhopal**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Hukum Chand Sawla
6. Shri Sunil B. Mansinghka
7. Shri P. Haridas
8. Shri B.L. Kothari
9. Shri K.C. Mehta

**9<sup>th</sup> May 2002, Lucknow**

1. Justice Guman Mal Lodha, Acting Chairman –President
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Hukum Chand Sawla
6. Shri Sunil B. Mansinghka
7. Shri Manchan Gunde Rao
8. Shri P. Haridas
9. Shri B.L. Kothari
10. Shri K.C. Mehta



**11<sup>th</sup> May 2002, Varanasi**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Hukum Chand Sawla
6. Shri Sunil B. Mansinghka
7. Shri Manchan Gunde Rao
8. Shri P. Haridas
9. Shri B.L. Kothari
10. Shri K.C. Mehta

**13<sup>th</sup> May, 2002, Dehradun**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Sunil B. Mansinghka

**20<sup>th</sup> May, 2002, Hissar**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Gohar Aziz
3. Shri K.L. Godha

4. Shri Sunil B. Mansinghka
  5. Shri B.L. Kothari
- 21<sup>st</sup> May, 2002, Amritsar**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri Sunil B. Mansinghka
5. Shri Hukum Chand Sawla

**23<sup>rd</sup> May, 2002 Chandigarh**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz

**25<sup>th</sup> May, 2002 Simla**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Gohar Aziz
3. Shri K.L. Godha
4. Shri P. Haridas

**1<sup>st</sup> June, 2002, Delhi**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Hukum Chand Sawla
6. Shri Manchan Gunde Rao
7. Shri B.L. Kothari



**4<sup>th</sup> June, 2002, Bhubaneswar**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Gohar Aziz
3. Shri Hukum Chand Sawla
4. Shri Sunil B. Mansinghka
5. Shri Manchan Gunde Rao
6. Shri B.L. Kothari

**5<sup>th</sup> June 2002, Cuttack**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Gohar Aziz
3. Shri Hukum Chand Sawla
4. Shri Sunil B. Mansinghka
5. Shri Manchan Gunde Rao
6. Shri B.L. Kothari
7. Justice R.N. Mishra



**7<sup>th</sup> June 2002, Hyderabad**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Gohar Aziz
3. Shri Hukum Chand Sawla
4. Shri Sunil B. Mansinghka
5. Shri Manchan Gunde Rao
6. Shri B.L. Kothari

**8<sup>th</sup> June,2002 Visakhapatnam**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Gohar Aziz
3. Shri Hukum Chand Sawla
4. Shri Sunil B. Mansinghka
5. Shri Manchan Gunde Rao
6. Shri B.L. Kothari

**11<sup>th</sup> June, 2002, Mysore**

1. Justice Guman Mal Lodha, Acting Chairman -President
2. Smt. Gohar Aziz
3. Shri K.L. Godha
4. Shri Hukum Chand Sawla
5. Shri Sunil B. Mansinghka
6. Shri Manchan Gunde Rao
7. Shri B.L. Kothari
8. Shri K.C. Mehta

**13<sup>th</sup> June,2002 :Bangalore**

1. Justice Guman Mal Lodha, Acting Chairman - President
2. Smt. Chitra Gouri Lal, Member Secretary
3. Smt. Gohar Aziz
4. Shri K.L. Godha
5. Shri Hukum Chand Sawla
6. Shri Sunil B. Mansinghka
7. Shri Manchan Gunde Rao
8. Shri B.L. Kothari
9. Shri K.C. Mehta

**24<sup>th</sup> June2002, Trivandrum**

1. Justice Guman Mal Lodha, Acting Chairman:- President
2. Smt. Gohar Aziz
3. Shri K.L. Godha
4. Shri Hukum Chand Sawla
5. ShriSunil B. Mansinghka
6. Shri Manchan Gunde Rao
7. Shri P. Haridas
8. Shri B.L. Kothari
9. Shri K.C. Mehta
10. Shri Udaibhaskar Nair

**25<sup>th</sup> June, 2002 Kochi**

1. Justice Guman Mal Lodha, Acting Chairman - President
2. Smt. Gohar Aziz
3. Shri K.L. Godha
4. Hukum Chand Sawla
5. Sunil B. Mansinghka
6. Shri Manchan Gunde Rao
7. Shri P. Haridas
8. Shri B.L. Kothari
9. Shri K.C. Mehta
10. Udaibhaskar Nair

**26<sup>th</sup> June 2002, Chennai**

1. Justice Guman Mal Lodha, Acting Chairman – President
2. Smt. Gohar Aziz
3. Shri K.L. Godha
4. Shri Hukum Chand Sawla
5. Shri Manchan Gunde Rao
6. Shri P. Haridas
7. Shri B.L. Kothari
8. Shri K.C. Mehta
9. Shri Udaibhaskar Nair

**27<sup>th</sup> June, 2002 Kanchipuram**

1. Justice Guman Mal Lodha, Acting Chairman
2. Shri K.L. Godha
3. Shri Hukum Chand Sawla
4. Shri Manchan Gunde Rao
5. Shri P. Haridas
6. Shri B.L. Kothari
7. Shri Udaibhaskar Nair
8. Shri K.C. Mehta



### काँचीपुरम् के जगद्गुरु शंकराचार्य जी द्वारा गोवंश के रक्षण-संरक्षण हेतु दिए गए वक्तव्य

- ◆ धार्मिक आधार पर गोहत्या बंदी चाहते हैं तो धर्मनिरपेक्ष शासन में क्या यह संभव है? धार्मिक आधार पर गाय भावी संस्कृति और भावनात्मक जीवन शैली का केन्द्र रही है इसलिए यह सर्वमान्य होना चाहिए। सर्वधर्म समन्वय है, सभी धर्म में गोहत्या बंद करने के संबंध में लिखा है किसी धर्म में गोहत्या करने के संबंध में नहीं लिखा है। धर्मनिरपेक्ष शब्द निकाल कर सर्वधर्म समन्वय होना चाहिए।
- ◆ अभी संसार में सभी लोग गाय का दूध पीते हैं। किसी को गाय का दूध पीने में विरोध नहीं है इसलिए इसका पालन-पोषण हमारा धर्म है। गाय का दूध घी आदि पंचगव्य अमूल्यवान है।
- ◆ अभी गोहत्या को बंद करने का कानून किसी राज्य में कम किसी में ज्यादा है, कानून का प्रचार-प्रसार सही ढंग से होना चाहिए। गोहत्या करना पाप है। ऐसा जन जागृत करना चाहिए। गोहत्या आर्थिक और व्यापारिक आधार पर करना भी ठीक नहीं है। गोवंश का हमारे देश की संस्कृति के धरोहर के रूप में रक्षण करना चाहिए।
- ◆ कृषि के लिए पुराने आधार पर बैलों द्वारा खेती के कार्य में उपयोग होने से तथा गोवंश के गोबर के प्रयोग से मिट्टी की प्राकृतिक पुष्टि बढ़ती है। आज कई प्रकार के रासायनिक खाद डालने से मिट्टी की उर्वरता शक्ति को हानि होती है। मनुष्य की भी शक्ति का ह्रास होता है तथा मानव स्वास्थ्य को नुकसान पहुँचता है। रासायनिक खाद से उपयोगी कृमि नष्ट होते हैं। गोमूत्र भी कृषि के लिए उपयोग
- ◆ किसान लोगों को गोवंश को रखने के लिए प्रचार-प्रसार करना चाहिए। जिन किसानों की आर्थिक स्थिति ठीक नहीं है वैसे लोगों के गोवंश के पालन के लिए जिला, गाँव, तालुका में संस्था होनी चाहिए। अधिक से अधिक गोशाला बनाने के लिए प्रयास होने चाहिए। जिस तरह मानव के अधिकारों की रक्षा के लिए मानवाधिकार आयोग है, उसी तरह गोमाता के रक्षण के लिए भी पशु अधिकार आयोग की तरह संस्था होनी चाहिए जिससे इनका रक्षण-संरक्षण सुदृढ़ हो।

- ◆ अभी कुछ लोग गोमांस का निर्यात करते हैं ऐसी विदेशी मुद्रा हमारे देश के लिए अनुकूल नहीं है। हमारे देश में कई प्रकार के अन्य व्यापार हो सकते हैं जिससे देश को आर्थिक लाभ हो सकता है। गोवंश के मांस का निर्यात नहीं करना चाहिए।
- ◆ बूचड़खाने में बकरी और गोवंश की हत्या होती है, यह ठीक नहीं है। जीव की हत्या नहीं होनी चाहिए। ऐसी हमारी संस्कृति की मान्यता है। इस आधार पर जनता में जन-जागरण होना चाहिए।
- ◆ अभी सरकार द्वारा गोहत्या की अनुमति नहीं है। इसे कठोरता पूर्वक अमल में लाना चाहिए तथा पूर्ण गोहत्या बंदी हेतु कानून बनाना चाहिए।
- ◆ विदेशी गाय आर्थिक दृष्टि से तो लाभकारी हो सकती है लेकिन पुण्य प्राप्ति के लिए, मनुष्य के परिवार, संस्कार के लिए देशी गाय ही श्रेयस्कर है।
- ◆ स्वदेशी और विदेशी गाय का कृत्रिम गर्भाधान कराया जाता है। यह हमारी संस्कृति की दृष्टि से ठीक नहीं है। इस पर रोक लगाना चाहिए।
- ◆ जर्सी गाय की आर्थिक उपयोगिता के लिए स्वदेशी गाय को नहीं काटना चाहिए। आर्थिक दृष्टि से जर्सी गाय का उपयोग ठीक है, लेकिन हमारी संस्कृति को ध्यान में रखते हुए स्वदेशी गाय ही रखनी चाहिए।
- ◆ संसार की जब से रचना हुई, तब से ही ऋषि-मुनि गोमाता का पालन-पोषण करते थे उनके दुग्ध द्वारा हवन किया जाता था, इस परंपरा को कायम रखते हुए गोवंश होता है। गोमूत्र के सेवन से मनुष्य को कैंसर से बचाव होता है। इस तरह अनेक बीमारियों को दूर करने के लिए गाय का पालन पोषण करना चाहिए। इससे हमारी संस्कृति भी बचेगी।
- ◆ अभी जो हमलोग को खाने के दूध, घी, दही गोमाता द्वारा मिलती है। गोवंश नहीं होने से इस तरह के अमूल्य वस्तुएँ नहीं मिलेंगी। इस हेतु भी इसका पालन-पोषण होना चाहिए।

- ◆ यद्यपि 40-50 साल पहले ट्रैक्टर नहीं था तब बैलों द्वारा खेती होती थी अभी भी अनपढ़ लोग बैलों से खेती करते हैं। पढ़े-लिखे लोग ट्रैक्टर से खेती करते हैं, इससे प्रदूषण होता है, जो मानव स्वास्थ्य के लिए हानिकारक है। अतः बैल का उपयोग होना चाहिए।
- ◆ अभी हमारे देश की मानव जनसंख्या 100 करोड़ हो गयी है अभी भी बैलों द्वारा अच्छी खेती होती है। यह सही है कि बैल द्वारा की गयी खेती ट्रैक्टर से की गयी खेती से एक सप्ताह विलंब हो सकती है, लेकिन दोनों में खेती बराबर होती है। बैल द्वारा खेती होने से बेरोजगारी की समस्या दूर होगी। गाँव-गाँव में गोचर भूमि कम हो रही है इस पर नियंत्रण लगना चाहिए। गोचर भूमि का विकास के काम में लगने से भी बेरोजगारी की कुछ समस्या दूर होगी। गोचर भूमि न होने से गोवंश घूम-घूम कर गंदगी खाते हैं, इससे एक तो इन्हें काटने के लिए ले जाया जाता है दूसरा ऐसे गाय के दूध हानिकारक भी होते हैं। अतः गोचर भूमि का विस्तार किया जाना चाहिए।
- ◆ अभी पेड़ आदि हजारों की संख्या में कटते हैं। वृक्षों का तो पालन हो रहा है। गोमाता को धार्मिक और संस्कृति के आधार पर पालन-पोषण होना चाहिए ऐसी व्यवस्था होनी चाहिए, जिससे गोवंश की संख्या बढ़े।
- ◆ सुप्रीम कोर्ट में गो हत्या रोकने के लिए विशेष प्रावधान नहीं है इस पर गंभीरता पूर्वक विचार होना चाहिए ताकि गोवंश को बचाया जाए।  
का पालन-पोषण करना चाहिए। हमारे देश में विदेशियों ने भी गोमाता की हत्या नहीं की, लेकिन स्वतंत्र देश में यह सब घृणित कार्य हो रहा है, यह ठीक नहीं है। इस पर अविलंब रोक लगे।
- ◆ बच्चों के स्कूल में गोमाता की महिमा के लिए प्रार्थना होना चाहिए।

**गोमाता की जय हो**

(राष्ट्रीय गोवंश आयोग की प्रश्नावली के जवाब में टेप रिकार्डर पर दिया गया जगद्गुरु शंकराचार्य जी, काँचीपुरम् का साक्षात्कार)

**स्थान: चेन्नई**

**दिनांक: 1.04.2002**

## **ANNEX II (12)**

Paragraph 20.3

**(Reply of Dr. Pratibha D. Upasani, Judge, Bombay High Court)**

DR. JUSTICE PRATIBHA D. UPASANI  
5, 2002

MARCH

Respected Hon'ble Justice  
Mr. Ranganath Misra,

It gives me great pleasure to express my views and give my opinion by answering the Questionnaire sent by the National Commission on Cattle. Copy of this Questionnaire was circulated to me by the Additional Registrar of my High Court, as per the directions of the Hon'ble Chief Justice.

It also gives me great pleasure in sending you a copy of my dissertation, 'The Image of Cow as Vedic Symbol'. I request you to kindly spare some time from your busy schedule to go through the said dissertation written by me and the poem trying to explain the existence of Thirty – Three crore Gods in the body of a cow.

Being a Hindu, slaughtering of cow and its progeny is a topic, which is very sensitive to me. It does hurt my mind and the movement of prohibition of slaughtering of cow and its progeny is the cause which is dear to my heart.

However, being a Sitting High Court Judge, I will be discharging my duties as a High Court Judge only, with the four corners of law and as per the mandate of the Constitution of India. I am therefore clarifying that the views expressed and the opinion given by way of answering this Questionnaire are purely of a personal nature and the views are expressed as a common man professing Hindu Religion and citizen of this Country.

With warm regards,

Yours sincerely,

sd/-  
(P.D. UPASANI)

## QUESTIONNAIRE

**Q. 1.** What is your opinion about making of laws on Prohibition of slaughter of Cow and its progeny as Central Law by Parliament? Whether they would be covered by any item in Central List or Concurrent list? If not, whether you would opt for amendment of the Constitution, taking this subject in Central or Concurrent List?

**Ans.** Yes. I am of the opinion that there should be a Central Law by Parliament on prohibition of slaughter of Cow and its progeny. The only Central Legislation in the field of animals – excluding wild life – is the Prevention of Cruelty to Animals Act, 1960. However, as this Act permits killing of animals of food, it is not of much relevance to the issue of ban on Cow slaughter.

The issue of Cow protection forms part of the Entry No. 15 in List II – State List under Schedule VII of the Constitution of India, which is titled as, " Preservation, protection and improvement of stock and prevention of animal diseases; veterinary training and practice". The other relevant provision is Article 48 of the Constitution under the Chapter of Directive Principles of State Policy, which states as follows:

*"The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds and prohibiting the slaughter of cows and calves and other milch and draught cattle".*

Thus, in Article 48, there is mention of prohibition of slaughter of cows and calves and other milch and draught cattle. The Article is in Part IV of the Constitution. As the matter is covered under Directive Principles of State Policy, which are not enforceable, enactment of necessary legislation by the States also cannot be enforced as Directive Principles are not justiciable. Since Entry No. 15 happens to be in the State List, the Centre has not enacted any law for preservation and prevention of cattle including cows, the only exception being Prevention of Cruelty to Animals Act, 1960 and Wild Life Protection Act. Thus, there is no specific law enacted by Centre preventing slaughter of cows and its progeny.

It has to be mentioned that, as on date, there is a total prohibition of slaughter of cows and cow family under the State Legislations of State of Rajasthan, Punjab, Haryana, Himachal Pradesh, Delhi and Jammu & Kashmir. Only States of West Bengal and Kerala do not have the State Law prohibiting slaughter of cow. The laws enacted by State of Bihar, Madhya Pradesh and Gujarat were struck down as they were challenged. As far as State of Gujarat is concerned, the matter is pending in the Supreme Court. Maharashtra has passed a legislation imposing total ban on slaughter of entire cow family. So far, the Bill has not received the assent of the President, in view of these legal precedents. The State of Uttar Pradesh had enacted a law during the first regime of Shri Kalyan Singh, which was sent for the assent of the President, however, in view of the dismissal of Kalyan Singh Government in the wake of Babri Masjid demolition, the Bill has lapsed.

Thus, it can be said that the legislative will of 11 major States in the Country, consisting of 65% of land area and population, is that there ought to be a law prohibiting slaughter of entire cow progeny. This itself is a major reason as to why the Centre should enact a Central law on this subject, which will have uniform application throughout the country and which will result in saving of precious cattle wealth of the nation.

For this purpose, the Constitution needs to be amended to bring the relevant entry into the 'Concurrent list', so that the Parliament gets power to legislate on this subject. Once this power is vested in the Parliament, law can be enacted with a simple majority, though this appears to be a rather difficult task, considering the present political scenario in the Country.

**Q.2)** Whether Cow Slaughter Prohibition should be included in the Fundamental Rights in the Constitution?

**Ans.** To include cow slaughter prohibition in the fundamental rights may not be feasible since our Constitution, as declared in the Preamble, is a secular Constitution, which is its basic feature. In India, we indeed see unity in diversity and diversity in unity, and the population of India consists of persons belonging to different religions. Moreover, prevention of cow slaughter can be achieved by passing appropriate Central and State Legislations, and therefore, it may not be necessary to include cow slaughter prohibition as a fundamental right in the Constitution. Since India is not a 'Hindu Rashtra', but a secular nation, such a move may violate the basic structure of the Constitution.

**Q.3)** Whether you want a review of the 1958 Mohd. Hanif Qureshi vs. State of Bihar (AIR 1958 SC 731) judgement of the Supreme Court holding that a butcher has got a fundamental right of his trade or business of slaughter of uneconomic or disabled bulls or bullocks?

**Ans.** Yes. In my opinion, it would be desirable to have the review of the Judgment of the Supreme Court reported in AIR 1958 SC 731, Mohd. Hanif Qureshi vs. State of Bihar.

In this five Judges' Bench Judgment, the Court held that a total ban of the slaughter of bulls and bullocks who have ceased to remain draught animal puts unreasonable restriction on a citizens' fundamental right to carry on his trade and business. This Judgment was delivered more than 40 years ago, in the context of the situation, which was then prevailing, and it is because of this Judgment that there is no total ban on the slaughter of cow's progeny, called bulls and bullocks. Whenever, such a ban is put by a State enactment, the Courts strike it down as unreasonable, per se, without investigating whether the impugned ban affects the total or partial business of a citizen, and if it is partial, whether it can be treated as unreasonable. This approach may not be correct, as it is a well settled position in law that the test of reasonableness should include the considerations such as the nature of the right infringed, urgency of the evil sought to be remedies, disproportion of the imposition and also the nature of the business affected.

Some aspects, on which the decision given in Mohd. Hanif Qureshi vs. State of Bihar (Supra) can be distinguished, are :-

- (1) One of the factors, which weighed with the Court, is that the Petitioners' trade in that case was solely dependent on beef hides and other accessories, which could be obtained by the slaughter of bulls and bullocks.
- (2) The above decision, so also, the other decisions which followed, namely, Abdul Hakim Quraishi & Ors. vs State of Bihar (AIR 1962 S.C. 448), Hashmatullah vs. State of M.P. (1996) 4 SCC 391 and Mohd. Faruk vs. State of M.P. (1969) 1 SEC 853, have taken into account only the utilitarian aspects involved in the disputes.



From times immemorial, our nation has developed a culture of non-violence and tendency to treat all living creature on the footing of equality with human beings. So far as cow and her progeny are concerned, they have acquired a special place in this treatment, as their economic and social usefulness through the history of our nation has been unique. It is for this reason that the grateful nation has gone to the extent of bestowing divinity in cow, and it is only for this reason that Article 48 of the Constitution has envisaged an absolute ban on the slaughter of cow and calves.

As far as the utilitarian aspect of Mod. Hanif's case (Supra) is concerned, it has to be said that bulls and bullock are not useless to the Society because till the end of their lives they do yield their excreta in form of urine and dung which are both extremely useful for bio-gas and manure. After their death also, they supply hide and other accessories. Therefore, to call them 'useless' is totally devoid of reality. If the expenses fully covered by the return which they give, at the most, it can be said that they become 'less useful'.

It is indeed utter selfishness and too materialistic approach to say that bulls and bullocks become useless once they become old. Even public servant get pension for their past services and we do take care of our old incapacitated parent. This is our culture to show gratitude.

Those who oppose the total ban on the slaughter of the cow and her progeny also should be made aware of Article 51A of the Constitution of India as found in Clauses (f), (g) and (h), which provide that it shall be the duty of every citizen of India,

- (f) to value and preserve the rich heritage of our composite culture.
- (g) to have compassion for living creatures and
- (h) to develop the scientific temper, humanism and the spirit of inquiry and reform.

Therefore, Mohd. Hanif's Judgment (Supra) is required to be reviewed, which is half a century old. Since then, many important and revealing researchers are made in the field of bio-gas energy and importance of organic manure. Scientific research has even proved that cow milk, ghee, cow dung, cow urine and curds from cow milk are useful to prevent adverse effects of radiation from atomic energy. This has been proved by researchers in Japan where children born after Second World War had genetic defects because of the dropping of the atom bomb on Hiroshima and Nagasaki. By using them, Japanese saved the next generation. It has been proved since then that the use of cow milk and curds has prevented the adverse effects of radiation. It has also been proved that the butter milk made out of cow's milk reduces the adverse effects of narcotic drugs like ganja, tobacco, heroin, smack and that, regular consumption of such butter milk goes a long way in rehabilitating the addict and that, his desire to consume the narcotic goes on reducing slowly.

It is also proved by research that the smoke which comes out of the Yadnay, in which ghee made out of cow milk has been poured, reduces the environmental pollution and helps in the plugging the holes of ozone layer. It has also been proved that the cow dung and cow urine work as the best manure and when it has been used along with honey, jaggery and water in the right proportions, yield of fruits, vegetables and grains is increased manifold. There is no need of giving urea at all because cow urine contains Nitrogen, Potassium,

slat, Phosphate and uric acid. This has been proved by the Agricultural University at Parbhani in Maharashtra that the utility is 40% more. Therefore, pesticides have to be banned and cow dung and cow urine has to be used as a natural manure.

Now that the Hon'ble Justice Venkatachalya Commission has been appointed to have a look of the working of the Constitution for last 50 years, and find out those provisions which require rethinking and review, the best thing would be to put up before the Parliament this conflict which is going on for the last 50 years between peoples' will and the constitutional limitation.

**Q.4)** Please give reasons why the Report of the Sardar Datar Singh Committee 1947-48 to prohibit slaughter of cow and its progeny completed within two years was not included in the Constitution?

**Ans.** I am not aware of the report of Sardar Datar Singh, and hence, am unable to give an answer to this question.

**Q.5)** Whether the Central Government or the Prime Minister gave an assurance to Acharya Vinoba Bhave that cow slaughter prohibition would be completely legislated and implemented throughout India?

**Ans.** Yes. Such an assurance was indeed given to Acharya Vinoba Bhave, who was a great animal lover and crusader fighting against slaughter of cows.

**Q.6)** What steps you have taken in pursuance of the assurance, if any, given by Mrs. Indira Gandhi?

**Ans.** (Question is not very clear). Mrs. Indira Gandhi, while addressing at a Conference in Nairobi in August, 1981 had glorified the animal wealth in India and had described the cattle population as source of energy. Draught animals indeed cut down expenses on transportation.

**Q.7)** How many private Members introduced Bills or Resolutions in the Lok Sabha or Rajya Sabha for the prohibition of the slaughter of the Cow and its progeny since 1950 and what were the fate of them?

**Ans.** There were many private Members' Bills moved in the Lok Sabha and Rajya Sabha for the prohibition of the slaughter of the cow and its progeny, however, the fate of all of them was same, namely, they either lapsed or they could not be passed. Justice Mr. G.M. Lodha had also introduced such a Bill for total ban on cow-slaughter.

**Q.8)** Whether the Govt. of India gave assurance to the 1967 Committee of Govt. having Puri Sankarachararji, Gururji and many others like D.P.Mishra, Shri Charan Singh, etc. that they have to suggest methods for implementing the principles of complete prohibition of the slaughter of the cow and its progeny in India?

**Ans.** I am aware that such an assurance was given when Shankaracharyaji announced fast unto death, but I am not aware whether any suggestions for implementing the principles of complete prohibition of the slaughter of the cow and its progeny in India, were actually given or not.

**Q.9)** What is the number of slaughter houses – illegal and legal, mechanical or indigenous in India?

**Ans.** As per my information and knowledge, there are approximately more than about 50,000 illegal and legal, mechanical or indigenous slaughter houses. Al – Kabeer in Andhra Pradesh is a highly sophisticated, mechanised and notorious slaughter house where thousands of animals are killed every day.

**Q.10)** Whether the Municipal Laws or State Laws prohibit or regulate construction of slaughter houses and, if so, give the details of each State.

**Ans.** There are State Laws and Municipal Laws to regulate construction of slaughter houses, for example, there is Goa, Daman and Diu Prevention of Cow Slaughter Act, 1978, there is Delhi Municipal Corporation Act, 1957, Bombay Animal Preservation Act, 1954 as applied to Gujarat, Punjab Prohibition of Cow Slaughter Act 1955 (applicable to State of Haryana), Karnataka Prevention of Cow Slaughter and Cattle Preservation Act, 1964, etc. Almost all these acts lay down rules and guidelines prohibiting slaughter of cow and regulating the slaughter procedure for permissible animals, inspection by competent authorities, power of Veterinary Officer of inspection, etc. and penalties for breach are provided thereunder. However, it is the sad state of affairs that these rules are observed more in breach. The slaughter houses are all unhygienic, including the one which is situated at Hyderabad (Al Kabir). The situation which was prevailing in the Delhi slaughterhouse is well known and became the talk of the entire nation. There is corruption all over, which goes on with the connivance of the municipal officers, staff of the municipality and staff of the slaughter houses.

**Q. 11)** What are the existing cow slaughter prohibition laws in India, Central as well as State ?

**Ans.** This discussion has already come in answer to Question No. (1). There is no Central Law prohibiting cow slaughter. However, almost all the states have passed such a legislation, except the States of West Bengal and Kerala.

**Q. 12)** Which of the States permit cow slaughter completely and which partially? Give details.

**Ans.** States of Kerala and West Bengal permit cow slaughter completely. In other States, cow slaughter is prohibited, cow's progeny like bulls and bullocks are not protected. Thus, protection is only partial.

**Q. 13)** What is the impact of the Ashutosh Lahiri and others vs. State of West Bengal (AIR 1995 SC 464) Supreme Court Judgement declaring Govt. of Bengal's Notification permitting Cow Slaughter during Bakri-Id unconstitutional?

**Ans.** In the case of State of West Bengal v. Ashutosh Lahiri reported in A.I.R. 1995 S.C. 464, Hon'ble Mr. Justice Majumdar, writing for the Bench, held as follows:

“....In view of this settled legal position, it becomes obvious that there is no fundamental right of a Muslim to insist on slaughter of healthy cow on Bakri-Id day, it cannot be a valid ground for exemption by the State under S.12 which would in turn enable slaughtering of such cows on Bakri-Id”.

The brief history leading to this landmark Judgment of the Supreme Court while dealing with the subject of cow slaughter, can be given as follows:-

The West Bengal Animal Slaughter Control Act, 1950 permitted slaughter of cows on Bakri-Id day for religious purposes under Section 12 of the Act. This was challenged before the Calcutta High court in the year 1971 and the Calcutta High Court ruled in August, 1982 that this provision was ultravires the Constitution. The State of West Bengal and various Muslim organizations / individuals went in appeal to the Supreme Court and obtained a stay on 9<sup>th</sup> September, 1983. Thus, slaughter of thousands of healthy and young cows continued on Bakri-Id day every year.

The appeal (State of West Bengal v. Ashutosh Lahiri) came up for hearing in the Supreme Court due to concerted efforts by Akhil Bharat Krishi Goseva Sangh in the year 1994 and the Supreme Court finally struck down the provision, holding that sacrifice of cows as a religious necessity for Bakri-Id, could not be proved. This case has settled, once and for all, that cow slaughter for religious purposes cannot be permitted. This case also highlights the irreparable loss arising from delays in judicial process because what was desired to be rectified in the year 1971 was ultimately rectified in the year 1994 and for long 23 years, the destruction of lakhs of young, healthy female cows and further destruction of millions of the progeny that would have ensued from the cows that were killed, went unchecked.

Even the Allahabad High Court has held in Mohd. Habib & Ors. V. State of U.P. & Ors. (Writ Petition 38469 of 1994) that it is not anybody's fundamental right to take life and kill animals, and the Constitution of India does not permit this. The last para of the Judgement reads as follows:

“The Court is of the view that the Constitution of India does not permit any citizen of claim that it is his fundamental right to take life and kill animals. A butcher may have his profession, but he cannot claim it as a fundamental right by the Constitution. Otherwise, it will be a negation of the tenets of our Constitution. The Constitution of India has a Chapter on Fundamental Duties. This is Chapter IV-A. Article 51A(g) ordains “compassion for living creatures”.

Thus, the Court is unable to persuade itself that butchery as a profession, can be claimed as fundamental right of a citizen. That a butcher may slaughter and make a business of it is one aspect of the matter, but, the State can regulate this business”.

**Q.14)** Whether the Supreme Court in 1994 has laid down that under the Muslim law and their religion, there is no compulsion for doing sacrifices of cow on Bakri-Id? Give details.

**Ans.** Yes. As discussed in answer to Question No. 13.

**Q. 15)** Please mention the political parties who are in support of prohibition of cow slaughter and its progeny. Please mention who are against it.

**Ans.** Bharatiya Janata Party is one of the parties which is in support of the cow slaughter and its progeny while the Marxist (Communist) parties are not in favour of it. The Muslim League also is not in favour of ban on cow-slaughter. There are other so-called 'Secular' parties who do not support it.

**Q. 16)** Did Shri Vasant Sathe on behalf of All India Congress Party give a speech in Lok Sabha in 1990 supporting cow slaughter prohibition completely and said that it was the official policy of the Congress?

**Ans.** Yes. Shri Vasant Sathe on behalf of All India Congress Party while giving speech in Lok Sabha in 1990 did support cow slaughter prohibition completely and did say that it was the official policy of the Congress.

**Q. 17)** Is it a fact that the cow slaughter complete Prohibition Bill of private member Justice Guman Mal Lodha in 1990 was supported by the majority of members as per electronic display but immediately after voting, it was defeated by permitting correction of voting originally given by changing in slip voting by hand?

**Ans.** I am not aware.

**Q. 18)** Which are the countries you have heard in which there is prohibition of slaughter of cows?

**Ans.** Syria, Tripoli, Saudi Arabia and Turkey are the countries in which there is prohibition of slaughter of cows.

**Q. 19)** Who were the Muslim or Mughal Emperors who prohibited the cow slaughter during their reign and in which regions?

**Ans.** Akbar, Jehjangir, Ahmed Shah, Nawab Hyder Ali of Mysore, these are the names of some of the Muslim/Mughal emperors who prohibited the cows slaughter during their reign in the territories where they ruled.

**Q. 20)** Who were the great men in India who started the cow slaughter prohibition movement in India?

**Ans.** Bal Gangadhar Tilak, Mahatma Gandhi, Vinoba Bhave, Dr. Rajenmdra Prasad, Pandit Madan Mohan Malvia were the great men in India who started Cow Slaughter Prohibition Movement in India.

**Q. 21)** Whether the export or import of beef is prohibited in India?

**Ans.** No. But there should be a ban on it in my opinion. After 'Al Kabeer' was opened in A.P., it had disastrous consequences. Price of milk soared, cattle became scarce, 3,000,00 women who were earning their livelihood by selling dried cow-dung for fuel lost it and people then started cutting trees for using wood as Fuel.

**Q. 22)** Is it a fact that, by using cow dung and urine for organic manure and medicines or pesticides, ailing bullocks or bulls become economically viable?

**Ans.** In my opinion, yes. Cow dung and cow urine have immense medicinal value. It has also been proved that, that is the best manure for infertile land and in fact, helps to increase the yield of fruits, vegetables and grains in manifolds. This aspect I have already discussed while giving answer to Question No. 3. Bullocks have been the backbone of our Agrarian economy.

Organic farming through "dung revolution" is the best medium for promoting environmental protection and animal welfare in the country. The protection of cow and cow progeny in fact is not only a religious issue, but is economic issue as well. The importance of these animals and their dung and their places in the ever-rotating cycle of Jana-Raksha, Bhu-Raksha, Van-Raksha, Pashu-Raksha, has to be kept in mind for sustainable agriculture and overall sustainable economic development, our cattle wealth is very very precious. The dung meets our fuel-need as well as our manure-need. It helps in growing cheap yet nutritious food grains. It retains and enriches the fertility of our soil and helps in maintaining ecological balance by avoiding use of chemical fertilizers and poisonous pesticides.

The term "cows" used in Article 48 of the Constitution is in plural and logically, it should mean and include, "cow and its progeny", meaning thereby, that the cow and its entire progeny including bulls and bullocks. The word 'cow' is derived from Sanskrit word Gau, and the plural of the word Gau is Gawah. According to the Sanskrit Dictionary, the word 'cows' means and includes bulls and bullocks too. In Vedic literature, the word Aghnya (inviolable) is used for cow.

Recently, I learnt that India had a plan of importing cow dung from Holland. It is a crazy idea for India to be the land of the holy cow and yet import cow dung from a foreign country. It is forgotten that, apart from production of milk by the cow, the bulls of good qualities like Khillar, Ongole, Kankarej, Hallikar can be used for good progeny of the Cow. India being mainly an agricultural country, even today, 80% work in fields is done by bullocks and it is one major village transport source. This avoids air pollution and drain on energy (electric) petrol source – thus, saving foreign exchange. There are many preparations known to an Indian farmer like "Amrit Pani" to enrich the soil. Amrit Pani is the combination of ghee of cow milk, honey, cow dung and fresh water in the right proportion. With this treatment of Amrit Pani, the earthworm population of the soil increases within 15 days and nothing is to be added by purchasing from market like fertilizers and pesticides. When the crops grow, the same leaves. The farmer can have the cow shed near the farm and allow the urine and dung to accumulate in a drum or cement wall and use it for spraying.

The use of cow dung for bio-gas purpose is immense. The bio-gas plant is a must for every Panjarapole, dairy farm, composite farm and cattle stock.

I have already highlighted the usefulness of dung and urine of cows/bulls for medicinal purposes for rehabilitation of those who are addicted to narcotics and even curing those who are afflicted with radiation, while giving answer to Question No. 3. In this way, even the ailing and old bullocks and bulls can become economically viable and that is why the saying -

**Q. 23)** How many people have sacrificed their lives for cow slaughter prohibition? Mention their names and details?

**Ans.** I can give the names of at least three persons who became martyrs, who sacrificed their lives for cow slaughter prohibition, though I am sure there must be many more unsung heroes and heroines.

(1) Shri Haribhai from Ahmedabad:

Shri Haribhai, along with other workers was checking the trucks and lorries transporting the cattle taken illegally to the slaughter houses at Ahmedabad. Suddenly, one day some of the illegal traders came in rickshaws and on scooters with deadly weapons and attacked Shri Haribhai and his workers. Shri Haribhai was killed on the spot in this attack. The irony is that this cruel act took place on the auspicious Mahavir Jayanti Day.

(2) Shri Jumanlal Asopa:

Shri Jumanlal Asopa was keenly interested in the protection of cows. He was associated with number of animal welfare organizations. During famine, he played active role in saving cattle at the cost of his life. He was shot dead on 7<sup>th</sup> November, 1966 when the police fired at the public at New Delhi, when lakhs of Sadhus and other animal-lovers thronged the Parliament, demanding prohibition of cow slaughter.

(3) Smt. Geetaben:

Smt. Geetaben was associated with Shri Akhil Bharatiya Moosa Nivaran Sangh for more than 10 years. She had rescued lakhs and lakhs of cattle, which were taken for illegal slaughter. On 27<sup>th</sup> August, 1993, Geetaben rescued the cows and calves which were being taken away to the slaughter houses. While she was taking them to the Ahmedabad Panjarapole Society, she was killed near Ombavadi circle by the cruel hands of the butchers.

**Q. 24)** Should cow slaughter be totally banned or regulated, allowing killing of selected animals? Which type of cattle should be permitted to be eliminated?

**Ans.** In my opinion, cow slaughter should be totally banned. If at all any killing is to be permitted, then it should be only with respect to the terminally ill, sick, and suffering cattle. In other words, these cattle should be put to sleep in a humane way by practicing mercy killing to save them from their sufferings. In no other case, cow or its progeny be permitted to be killed, and by cow, I mean not only female cows, but also bulls and bullocks.

**Q. 25)** Examine the correctness of the opinion that hide from slaughtered cattle is superior in quality to hide collected from otherwise dead cattle.

**Ans.** This might be true. It is logical and reasonable to think that the hide/skin from a slaughtered animal, who is otherwise healthy may be superior in quality than the one collected from a sick or aged dead cattle. Of course, that should not be the reason, even if true, for permitting killing of the cattle. Instead, some research should be done to improve the quality of the hide, which is that of a dead cattle and which can be put to use.

**Q. 26)** Should not punishment for violation of laws under Act be more heavy than what the existing statutes provide?

**Ans.** Yes. The punishment for violation of the laws under the Acts should be more stringent because as such, the punishment which is provided, is inadequate and serves no purpose.

Under the Indian Penal Code, the relevant Sections are Sections 428 and 429. Section 428 lays down that mischief by killing, poisoning, maiming or rendering useless any animal or animals of the value of ten rupees or upwards, is punishable with imprisonment of either description for a term which may extend to two years, or with fine, or with both. The mandate of Section 429 is that, whoever commits mischief by killing, poisoning, maiming or rendering useless, any elephant, camel, horse, mule, buffalo, bull, cow or ox, whatever may be the value thereof, or any other animal of the value of fifty rupees or upward, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both. However, experience has revealed that there is hardly any conviction under these sections and the person is let off very leniently.

Even under the Prevention of Cruelty to Animals Act, sub-clauses (i) (l) (m) and (o) of Section 11 and Section 12 only contain offences, which are cognizable. The punishment also is ludicrous and is not at all deterrent, if at all conviction takes place. It is also difficult to prosecute the offenders since other offences under Section 11 are not cognizable. It means that the police officer cannot arrest the offender without warrant. This puts impediment in the working of S.P.C.A. Officers. The only notable example where an owner of the animal was convicted for being cruel was at Delhi, where Judge Mr. R.S. Malha of Tis Hazari Court ordered the offender, one Yameen to undergo rigorous imprisonment for six months and a fine of Rs. 500/- and imprisonment for one more month, in default of fine. The said Yameen was caught outside Novelty Cinema Hall, near old Delhi Railway Station. He had put tobacco powder into his buffalo's eyes in order to force the animal to walk. Such examples are very stray and sporadic. The fact remains that the punishment under the Act with respect to cruelty inflicted on animals or with respect to other offences concerning animals are not heavy and deterrent.

**Q. 27)** Should not unauthorized slaughter be made a cognizable offence?

**Ans.** Yes. The offence of carrying on unauthorized slaughter must be made a cognizable offence. This will help in bringing to book all those butchers who are carrying out their activities on the road-side dhabas or any other open spaces in the most unhygienic and cruel manner.

**Q.28)** Should slaughter be subject to appropriate certificate from the competent authority?

**Ans.** Yes. Keeping in mind the public hygiene, slaughter must be subject to appropriate certificate from the competent authority. Though in my opinion, the entire World population should turn to vegetarianism, I know it is not possible. In fact, if the animals are able to



speaking, the only sentence which they will utter would be, 'don't kill me'. Therefore, if at all slaughter is inevitable, it should be carried out in the most humane, scientific and painless way, giving the least pain to the animals.

There are instances when pregnant cows are taken up by the butchers for slaughtering. One such reported instance was brought to the notice of the Kerala High Court where a Writ Petition came to be filed by taking suo-motu cognizance of the report of the Indian Express dated 25<sup>th</sup> September, 1992. The news item narrated the story of a cow that gave birth to a calf when brought for slaughter at Kaloor in Kerala. The Kerala High Court then issued urgent notice to the State Government, Corporation of Kochi, District Veterinary office and others, treating as writ Petition a news item that appeared in two Malayalam dailies on August 21, 1992, which was later on reported in Indian Express dated 25<sup>th</sup> September, 1992. If there is a certificate from the Competent Authority, such cruel instances may not happen. If there is a stringency about the Certificate from the Competent Authority, certifying the fitness of the animal to be slaughtered, such tragic instances may not happen.

**Q. 29) Should slaughter in unauthorized place carry a major punishment?**

**Ans.** Yes. Slaughter in unauthorized places must carry a major punishment because such an act is not only inhuman but is unhygienic and opposed to public policy and poses a major health hazard.

**Q. 30) Should the burden of proof in a case arising out of slaughter be on the accused?**

**Ans.** Yes. Because in every case, when animals which are illegally being taken for slaughter are intercepted by any member of the N.G. O. or Police, the only answer given by the accused is that the animals are being taken for domestic purposes or domestication. It is very difficult to prove that the animals are being taken for slaughter and the accused are being let off. If the burden of proof is shifted to the accused, it will be a boon to the animals and the accused also can be punished.

In this field, there is an improvement in the sense that, in many such cases, interim custody of the cattle is taken by Panjarpoles or Go Rakshan Samities and after the trial is over, many times, accused refuses to take them back, because the Goshalas to which the interim custody is given, spend quite a lot on these cattle, for which they claim reimbursement and which the accused refuses to pay. This is indeed a boon in disguise, which has saved many cattle from being slaughtered.

**Q. 31) What steps should be appropriate to safeguard against mixing of beef meat with other meat?**

**Ans.** In my opinion, to avoid mixing of beef meat with other meat, there should be a total ban on the import of beef. There also has to be strict vigilance whether beef is being transported from one State to another. There also has to be supervision in the kitchen where products made out of meat are served. A declaration by the owner of the restaurant / hotel / meat-shop to the effect that no beef is used by them or sold by them will be desirable.

It will be desirable to have cattle population of every village, every District and every State, so that, any reduction in the cattle heads can be noticed immediately. I am aware that these suggestions, though may be ideal, are difficult to implement. Therefore, public awareness, disseminating information through Media, Television, Radio, Public Speeches are the only modes of reaching to the common man. Till that is done, and until corruption is totally stopped, state of affairs are difficult to be handled.

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**REPORT OF THE  
NATIONAL COMMISSION  
ON CATTLE**

**COMPREHENSIVE INDEX OF CONTENTS**



**(ALL THREE VOLUMES)**

# COMPREHENSIVE INDEX OF CONTENTS

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